

THE PROCEEDINGS

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On Wednesday the 5th, Thursday the 6th, and Friday the 7th, of DECEMBER;

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER I. for the YEAR 1760.

Being the First SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed, and sold by G. KEARSLY (Successor to the late Mr. Robinson) at the
Golden-Lion, in Ludgate-Street, 1759.

[Price Four-pence.]

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King's Commissions of the Peace, and Oyer and Terminer, for the City of
LONDON, and at the General Sessions of Gaol Delivery of Newgate,
holden for the said City of LONDON, and County of MIDDLESEX,
at Justice-Hall in the Old-Bailey, &c.

BEFORE the Right Honourable Sir THOMAS CHITTY, Knt. Lord-Mayor of the City of London; the Hon. Sir JOHN WILLES, Knt. Lord Chief Justice of His Majesty's Court of Common-Pleas; the Honourable Sir MICHAEL FOSTER, Knt. one of His Majesty's Justices of the Court of King's-Bench; the Honourable Sir RICHARD ADAMS, Knt. one of the Barons of His Majesty's Court of Exchequer; the Worshipful Sir WILLIAM MORETON, Knt. Recorder of the City of London; and others of His Majesty's Justices of Oyer and Terminer for the said City.

London Jury.
George Bowler
William Fox
John Seagood
Gerrard Crawley
George Gosling
John Ireland
William Fitching
Edward Stanley
Paul Verity
Roberts Paine
Thomas Bark
Benjamin Dutton

Middlesex Jury.
John Spencer
Henry Kinnel
John Gilbert
Jacob Harris
William Cobbet
Peter Thomas
Benjamin Cotes
William Flanebrough
William Dickens
John Jacques
John Wharton
John Jackson

1. Rebecca, wife of James Attebery, was indicted for stealing one silk gown, value 3s. two cloth garments, value 2s. three yards of lawn, value 2s. two silver buckles, value 12d. one cotton apron, one pair of steel snuffers, three handkerchiefs, four

M. B. The Sheriff, &c. I do not know the Judge, by whom the Prisoner was tried, also (L.) (M.) by what Jury.

holland pillowbiers, one diaper tablecloth, and 3s. and 3d. in money, the property of Rebecca Backhouse, October 17.

To which she pleaded guilty.

2. (L.) Elizabeth Attebery, indicted for stealing one pound and fourteen ounces of fine thread, value 20s. and twelve dozen of ivory combs, value 10s. the property of James Whitworth and William Alchorn, privately in their shop, November 12.

James Whitworth. My partner's name is William Alchorn; we are haberdashers, and live in Headwall Street. I saw the prisoner in our shop on the 12th of November last, between five and six in the evening; she bought a hat and some ribbon.

Q. Did you know her before?
Whitworth. No; I never saw her before to my knowledge: I did not miss any thing then (this was on a Saturday) but on the Wednesday morning following I received a letter from Mr. Griffice, my comb-maker, who lives on the other side of the water, the contents of which were, "That a woman was stopped with some combs of the very sort that he had sold to me the Saturday before." I went as directed to the constable, where I found twelve dozen of ivory combs, and a pound and fourteen ounces of fine thread. The prisoner was then in custody: I did not see her till she was carried before Sir Richard Glynn, where she was charged with stealing the goods mentioned.

Q. Whose goods were they which you saw in the hands of the constable?

Whitworth. They were our property. The prisoner did not directly deny taking them, but made some frivolous excuse. (The goods produced in court.) Here is my hand-writing and my partner's

ner's on the papers that are about the thread; the thread was a little dirty, and it was laid by to be dyed.

William Hutchins. I am a constable, and was sent for by Mr. Nugent, at the Nag's-head in Cheapside, when I was told that the woman they had got there had been attempting to rob the ladder where they keep the victuals. I laid hold of her (the prisoner at the bar) and found she had got a parcel of things in a handkerchief, amongst which was this parcel of ivory combs mark'd with a shop-keeper's mark; some of them were loose down her bosom. In the handkerchief also was this parcel of thread. She said she bought the combs of a comb-maker on Snow-hill. I sent a person thither with some of them, who return'd and said they were not made there, but was directed to Mr. Bowers, near Aldgate. I asked the prisoner where she had the thread, who said she bought it in the street. Then I secured her, advertised the goods, and went to Mr. Bowers; he sent me to Mr. Griffice, who said the combs were of his make, and sent to the prosecutor's.

Prisoner's Defence.

I am not guilty of the fact laid to my charge.

Guilty, 4s.

4. (M.) *Elizabeth Hughes*, spinster, was indicted for stealing one muslin gown, value 10s. the property of Robert Mandavill, Nov. 20.†

Robert Mandavill. I only swear to the gown; [producing it] but here is an evidence who saw it taken upon the prisoner.

Q. What was the prisoner?

Mandavill. She was my servant, and was going away when it was found.

Allice Beane. I am one of the prosecutor's family. The prisoner was going away, and as we had missed two or three trussing things, we thought proper to search her box, and upon opening it this gown was found in it. I charged her with taking it, and she owned she took it out of my mistress's drawer.

Q. Was her box lock'd?

A. Beane. It was.

The prisoner had nothing to say in her defence.

Guilty, 4s.

4. (M.) *June Charlton*, spinster, was indicted for stealing one pair of stays, value 4s. and one calimanco petticoat, value 7s. the property of Anne Watkins, spinster, Nov. 17.†

Anne Watkins. I missed the things mentioned in

the indictment, on a Saturday night in November, about an hour after they were taken away; the prisoner was taken up on the Monday following, when she owned she had taken them, and took me to Mr. Rotchford's, a pawnbroker, where we found them.

Walter Rotchford. I took in these stays and petticoat of the prisoner at the bar [producing the stays deposited to by the prosecutrix.]

Q. What account did the prisoner give of herself when she brought them?

Rotchford. She said she had but just taken them out from another place, and was obliged to pledge them again.

Q. When did she bring them?

Rotchford. On the 17th of November, just about candle lighting.

Prisoner's Defence.

A young man and woman lived at the prosecutor's house, up three pair of stairs; they quarrelled and parted, and he cut her cloaths to pieces. He desired me to come and make it up between them. I went, and staid drinking there till about ten o'clock at night. Having drank plentifully, going out of the room, saw the lace of the stay hang down upon the stairs; I laid hold of it, and down came the stay and petticoat with it. I took them up, put them into my apron, and took them away. She came to me afterwards, and I owned where they were.

Prosecutrix. The pawnbroker would not let me see the petticoat, except I would first pay the money it was pawned for.

Court. Mr. Rotchford, your shop should be open to all customers; this is a misbehaviour; you ought to shew people their goods when they come for them.

Guilty.

[The court ordered Mr. Rotchford to deliver the petticoat to the prosecutrix, without receiving any money for it.]

5. (M.) *Mary Butterfield*, widow, was indicted for stealing twelve silver handle knives, and twelve silver handle forks, two silver spoons, and a pair of sheets, the property of Thomas Cooper, October 17.†

Thomas Cooper. On the 17th of October last I lost the knives and forks, and had no intelligence who stole them till three or four days after. [The knives and forks produced in court, and deposited to.] I apprehended the prisoner in Shing Lane, and took her before justice Fielding.

Q. Had

Q. Had she been your servant?

Cooper. No; I knew her before, but I never heard she was guilty of any misbehaviour of this sort before. She went very willingly with us to the sign of the Green Man and French Horn in Covent Garden, where she confessed she had pawn'd them, and for how much. I told her there were three sheets missing. She said there were but two sheets missing, and that she ought to know best.

Q. Where were the knives and forks, and spoons pawned?

Cooper. They were pawned to Mr. Andrews and Mr. Hunt.

Q. Where do you live?

Cooper. I keep the King's Arms at Kensington.

Philip Andrews. The prisoner pledg'd these knives and forks with me on the 18th of October.

Q. What account did she give of herself?

Andrews. I knew her near a year before; she had pledged some of her own wearing apparel with me before, such as aprons, stays, and other things. She asked me but six shillings on the knives and forks. I asked her who was the owner. She said they belonged to one Mr. Groves, who belongs to the king's kitchen at Kensington, and he had desired her to pledge them with whom she pleased, for his convenience when he came to town. She gave an account also where he lodged. I not being satisfied about her account, sent to Kensington Gore, to know the truth of it; but seeing them advertised in the paper on Monday morning, I sent to justice Fielding, and he ordered me to come when the prisoner was examined.

William Hunt. The prisoner brought one silver spoon to me on the 20th of October, the other on the 23d; I took them both in, and asked her if they were her own property. She had some wearing apparel in pawn, which she took out, and left one of the spoons for them; on the other she had eight shillings. [The spoons produced and depoted to by the prosecutor.]

Prisoner's Defence.

I went to Mr. Cooper's on the rejoicing night, and called for a pint of beer; there came in a gentleman, like a serjeant, and joined company with me. After we had drank pretty late, Mr. Cooper insisted on my staying at his house all night. He took a hammer and chisel and broke open a door to let me in, that his wife should not know of it, she being upstairs, and put me to bed, where he kept me all night, till four o'clock. He gave me these things, in order to make money of for the

present, and said he would let me have money to fetch them again; but I have no witnesses of it; there were only he and I together.

Guilty.

6. (M.) **William Budd** was indicted for stealing one chestnut colour'd mare, value 10l. the property of Oliver Wright, Nov. 9.

Oliver Wright. I live at Litherworth in Leicestershire. I lost a chestnut colour'd mare out of a close near my habitation, between the 3d and 4th of November last. I advertised her in the Daily Advertiser, by which means I found her at the Red Cow in Whitechapel, the house of Robert Cheddick, who had stop'd her on the Monday was seven-night after I lost her. She is now in my custody. I saw the prisoner before justice Fielding, but he did not confess any thing in my hearing.

Robert Cheddick. I keep the Red Cow in Whitechapel. I seeing the advertisement, took the Advertiser in my hand; having a mare in my stable; I went there, and found she exactly answered the descriptions. I sent the prosecutor a letter the same day, being the 10th of November; but I cannot say who brought her. Then I ordered my servant Leycock not to let her go out of the stable. He told me he had bought her. Then I ordered him to look for the man he had bought the mare of, and on the Sunday, about three or four o'clock, he sent me word he had found him, and that he was in custody of the constable in Spital Fields. I went there, and saw him; it was the prisoner at the bar, who fell a crying.

Q. Is this the same mare that the prosecutor has sworn to?

Cheddick. It is.

Q. What did your servant say he gave for her?

Cheddick. He said he gave two guineas for her.

Joseph Leycock. I was hostler to the last witness, and bought the mare.

Q. Did you know the prisoner before you bought this mare?

Leycock. I did not.

Q. Where did you buy her?

Leycock. In Smithfield, on the 9th of the last month; I bought her of the prisoner at the bar for two guineas.

Q. What did he ask for her?

Leycock. He did not ask much more for her.

Q. How much did he ask?

Leycock. He asked me six guineas.

Q. Did not you suspect her to have been stolen?

Leycock. No, I did not. The prisoner said he had

had been three years. I took her to my master's stable.

Q. Did you hear the prisoner own any thing?

Leycock. I did not.

Prisoner's Defence.

I bought the mare upon the road as I was coming up. I gave a guinea for her on the Monday morning, and sold her again on the Friday.

For the Prisoner.

Peter Ray. I live in Spital-Fields, and keep a chandler's shop: I have known the prisoner about three months before this affair happened.

Q. What has been his behaviour for that time?

Ray. I have trusted him in my house, where I have silver and gold, and I never lost any thing by him.

Q. How came he into your house?

Ray. On buying things that he wanted. I have left him alone for the space of fifteen minutes together, and have heard he came of very honest parents, at Litherworth, in Leicestershire.

David Cram. I live in Spital-Fields, and am a barber and peruke-maker. I have known the prisoner between two and three months: He work'd at a loom in my back room, in which he wove silk and worsted; he lodged in my house about two months, and always behaved very honestly with me. My wife and I have trusted him with every thing in our house when we have gone out, and never missed a farthing: he always came in at good time on evenings.

Guilty. Death. Recommended.

7, 8. (M.) John Hudson, and Jane his wife, were indicted for stealing one pair of linen sheets, value 6s. one tablecloth, value 18d. one pewter dish, and two pewter plates, the property of Catherine Osborn, widow, September 30.

Catherine Osborn. I keep a sloop shop in St. Catherine's, and I let the two prisoners a lodging at two shillings per week. I lost the things mentioned in the indictment out of the room. I took the prisoners up on suspicion, when the woman confessed to me that they were at a pawnbroker's in East Smithfield, whose name is Robert Ashbridge, and that he had taken and pawn'd them there at several times. I went there, and got them again.

Robert Ashbridge. The goods mentioned in the indictment were brought and pledged with me by the woman at the bar in June and July last: I have known her five or six years.

Jane Hudson's Defence.

I shewed the prosecutrix where the things were,

and she made it up with me; she knew I did it for want. I was a month in her house afterwards, and at last she shut the door and turned me out with my children into the street. I never was guilty of pawning any body's things before.

Both Acquitted.

9. (M.) Robert Blashy was indicted for stealing one silver watch, value 40s. in money number'd, and one half guinea, the property of William Potts, November 13.

William Potts. I live in Clerkenwell at present, and follow no business; I am very infirm, and can't help myself to and from bed. The prisoner at the bar put me to bed on the 13th of November last; my watch was then in my breeches pocket, and also my money. In the morning, at putting on my things, the watch and a half guinea were missing from out of my breeches, which had been laid under my head. I had a suspicion of the prisoner taking them, because he had once before taken my watch away in a joak. I had a warrant to take him up, and he surrendered himself last Monday.

Q. Did he confess any thing?

Potts. No, he did not; I never have seen my watch since.

Sarah Skelton. I live at the Albemarle's Head in Clerkenwell, where the prosecutor lodges. My mistress having a suspicion of the prisoner, because he had taken the watch once before, she sent me upstairs to listen what pass when he was putting the prosecutor to bed. I went up, and heard Mr. Blashy say to him, "D—n you, you was jealous of my stealing your watch before, but I will take it to-night, and what then?"

Q. Do you know that he did take it?

S. Skelton. No, I do not; it was missing the next morning: My mistress called me down the instant them words were spoken.

Joseph Lodge. William Potts lodged in my house, whom the prisoner put to bed some times; he did so that night; the watch and money were missing the next morning. Before the prosecutor went to bed he had two half guineas in his pocket, which I saw. I got him up the next morning, and as I was putting on his stockings, and the thing belonging to his wooden leg, I missed his watch string, so asked him about it. He said he had it in his breeches the over night. Then I said, "I'll see if your money is safe; I looked, and a half guinea was missing."

Q. What is the prisoner?

Lodge. He is a shoemaker, and lives in the neighbourhood. Acquitted. B 10.

10. (M.) John Hoxley was indicted for stealing sixteen deal boards, value 5s. the property of Edward Gray, October 17. ||

Francis Bailey. I am servant to Mr Edward Gray, who had three or four hundred deal boards for scaffolding at buildings that he was about; there was one in Bloomsbury Square: I know the boards mentioned in the indictment are Mr. Gray's property, but it is impossible to say where they were taken from; I have seen them.

Q. Where did you see them?

Bailey. I saw them at a chandler's shop in Parker's Lane, the latter end of October; they had been used for scaffolding.

Q. What is the man's name where you saw them?

Bailey. His name is Wright; it is not far from Bloomsbury Square.

Q. How many boards did you see there?

Bailey. I believe I saw nine there, but there were but six of Mr. Gray's, which were ten or twelve feet long; some mark'd T. G. and some E. G. which is his father's name. When the prisoner was before justice Welch, he asked him how he came to take the boards away? He replied, they were old boards, and but of little use.

Q. When was this?

Bailey. This was about five or six weeks ago.

Q. Can you tell whether they were boards belonging to the scaffold?

Bailey. I cannot tell whether they were fixed or lying loose; we have many lying loose on the scaffold; this I know, they were scaffolding boards, and my master Mr. Gray's property.

Warren Wright. I bought the boards of the prisoner at the bar.

Q. Where do you live?

Wright. I live in Parker's Lane, and keep a chandler's shop. A labourer who lodged at my house told me these boards were the property of Mr. Gray. Then I sent for Mr. Bailey, who came, and said they were his master's.

Q. How came you by them?

Wright. I believe I bought them of the prisoner at the bar, who brought them to me by two at a time.

Q. At what time of the night did he bring them?

Wright. He brought them between seven and eight at night.

Q. Did you ask him how he came by them?

Wright. No, I did not the first time.

Q. Did you the second?

Wright. No.

Q. Did you know him before?

Wright. No; the second parcel that he brought I found were marked; then I inquired about them; the first two parcels were fit for nothing but to burn. He told me they were old flooring boards, which he had from a house where he was at work.

Q. to Bailey. What sort of boards were they, new or old?

Bailey. Some of them had been but little used.

Q. to Wright. What did you give for them?

Wright. I gave a groat a piece for them.

Q. to Bailey. What are they worth a piece?

Bailey. They are worth 14d. one with another.

Prisoner's Defence.

I thought they were all old flooring boards. Guilty.

11. (L.) Mary Dollin, spinster, was indicted for stealing one pair of single channel pumps, value 4s. 6d. the property of Timothy Smith, November 8. †

Timothy Smith. I am a shoemaker, and live at the Crown and Slipper in Ludgate Street. The prisoner at the bar came into my shop on the 8th of November, about dusk, and asked to see a common pair of shoes for herself; but I had none that would suit her. Then she wanted me to make a pair for her against the next night. After that she went away, and upon a lower shelf I missed a pair of pumps, which made a vacancy. I had lost four pair of shoes from that shelf a little before. I went out, and just by Ludgate I stopped her with this pair of pumps in her apron. [Produced in court, and depoled to.] I took her before the alderman, where she did not deny taking them, neither when I took her.

The prisoner had nothing to say in her defence. Guilty.

12. (L.) William Matthew was indicted for stealing six guineas, the money of John Macquiffin, in the dwelling house of the said John, November 5. *

John Macquiffin. I am a turner, and live in Newgate Street. About a fortnight before I took the prisoner up, which was on the 5th of November last, I was suspicious of somebody in my house robbing me, having lost 5 or 6 guineas out of a bag lock'd up in my own chamber, which is up two pair of stairs; but as to the money in the bag I was not quite certain of the sum, only I supposed myself deficient 5 or 6 guineas. I thought it necessary to come to a certainty, so I put exactly 18 guineas and

a 36s. piece into the same bag, lock'd it up in the same drawer, and let it lie there a week, and when I went to look at it, there were but 14 guineas and the 36s. piece, but I found the drawer lock'd as usual. After that I thought I must take some method to know the money again, so I put in 15 guineas, 2 half guineas, 2 36s. pieces, and 2 moldores, to the amount in all of 22 guineas; I put it down on a piece of paper, and marked each piece with a small cross on the standard side, and determined to look at it 2 or 3 times a day. The money was all safe on the Sunday night. The prisoner came to work, as a journeyman, on Monday morning, and went away in the evening. I had look'd, and found my money right in the morning, and also in the afternoon, but at going to bed at night there were only 20 guineas; two were missing, and the drawer lock'd.

Q. Did you put this money to the other, or by itself?

Macquistin. I put the 22 guineas there, and took the other money away. On missing the 2 guineas, I challenged my maid with it, who declared herself innocent; then I suspected the prisoner, so went with a constable to his lodgings, and charged him; but he denied it. The constable searched him, and found 2 guineas upon him which were my property, and of my own marking, as the others were [the two guineas produced, and inspected by the court and the jury.] I have some of the others in my pocket to compare, if the court please.

Q. Did he confess any thing?

Macquistin. I don't know he spoke a word all the way he went to the comptor, he never confess'd any thing.

Cross Examination.

Q. Where have the two guineas been since that time?

Macquistin. After he was committed the alderman order'd me to take them.

Council. I should have thought them to have been order'd into an indifferent person's hands.

Macquistin. They were order'd into mine.

Q. Is the constable here?

Macquistin. He is.

Q. Was not the prisoner your apprentice?

Macquistin. He had been.

Q. Had he serv'd his time out?

Macquistin. He had 22 Months to serve when I had him discharg'd from me.

Q. Was not there a quarrel between you and him?

Macquistin. If you urge me to do it, I shall tell the truth.

Q. Pray speak out the whole matter?

Macquistin. Then the reason why I discharg'd him was, about a month before, he went out in the night and left the door open, and I was alarmed by my door being open in the night.

Q. Had he rob'd you of any thing?

Macquistin. No, he had not as I know of; but I thought that as he had got this method of opening the door and going out, I was not safe in my person or property, so I was determined to get rid of him.

Q. Did he ever go out and leave your door open at any other time?

Macquistin. I know of no other time than that.

Q. Do not you think it possible that a person in going out might accidentally in pulling the door after him leave it open?

Macquistin. He might, but I think he had no reason for going out of my shop.

Council. This shews you had a great dislike to him from this single instance, which might be purely accidental.

Macquistin. Supposing I had been rob'd, who should I suspect but the person who went out of my house?

Q. What sort of a character did you give him before the alderman when you was there?

Macquistin. The alderman was not there, his clerk was. I told him that the prisoner had gone out of my house and left the door open, and I could not think myself safe in my own house.

Q. Did you not say you thought the prisoner to be a very honest man?

Macquistin. I did say, I did not know that he rob'd me.

Q. What sort of a place was this money taken out of?

Macquistin. From out of a drawer of a double chest upon chest; I always lock it, and put the key into a bureau and lock it up there.

Q. Was the lock broke?

Macquistin. No, it was not.

Q. When you went to enquire for the prisoner, did he offer to secrete himself?

Macquistin. He was thunderstruck; it was near twelve o'clock at night when I went to him. I laid hold of his collar directly.

Q. Who did you see before you saw the prisoner in that house?

Macquistin. He was the very first person I saw; I called out and asked if Will was at home, thus being his name. The mother (as I thought) called, and said he was. I have heard since it was some body.

body else that lodges in the house, not his mother. I told her he must come to work in the morning. I had a job to do; then he appeared, and I laid hold of him.

Samuel Lane. I am a constable. I searched the prisoner, and found two guineas and six pence upon him. I said to his master, here are two guineas, do you know this money. He looked on them, and said here is my mark on both of them, and I will swear to them as part of my money, taken out of my drawer.

Q. did you look at the marks?

Lane. I did, and saw them; these are the two guineas here produced.

Q. Did you hear the prisoner confess any thing?

Lane. No; I did not.

Prisoner's Defence.

I kick'd a piece of paper before me, and took it up; there were two guineas in it, which I put into my pocket; this was in my master's house.

Guilty, 39s.

Catherine May, otherwise, Castoff, widow, was indicted for stealing 26 guineas, one half guinea, one 36s. piece, and one moidore, the money of John Watton, Nov. 3.

John Watton. I live in King street, Grosvenor-square. Happening to be in liquor, I was pick'd up by some bad women, went into a house with them on the 2d of November at night, and was rob'd of upwards of 30l.

Q. What sort of money was it?

Watton. There were 26 guineas, a 36s. piece, a moidore, and half a guinea.

Q. Where was you pick'd up?

Watton. I was at Smithfield market that day, but at three o'clock next morning I found that I was in Swan yard, opposite Somerset-house.

Q. Was you in a house?

Watton. I was, but not in a bed.

Q. How came you there?

Watton. I do not know, neither do I remember a step of the ground as I went; I was very much affrighted to think how I came there. Looking about me, in a court or yard I saw a light through the fall: Then there came a watchman with a woman, and opened the room door; I had the candle in my hand. The woman came to me, and said, "Get you gone, you have been robbing the house, and if my husband comes home, you will get knocked on the head, or something or another."

Q. What was her name?

Watton. Her name is Sarah Brown. I seeing

the watchman, said, I don't know where I am, if you will shew me my way, and tell me where I am, I will give you a pot of beer; I put my hand into my pocket, and had not a farthing there. After that I saw another watchman, whom I charged with the woman, named Brown. Then she said Catherine May was the woman that she had left with me in the room.

Q. Can you tell who took your money?

Watton. I do not swear to Brown, nor the prisoner neither.

Q. Have you got any of it again?

Watton. I have got ten guineas that were taken out of Catherine May's pocket, which she owned before the justice to be my property.

Edward Gail. About three or four days after this, I was informed that the woman at the bar was at an alhouse in Drury Lane, where I went, took her, and had her before justice Fielding. I searched her, and found ten guineas in her pocket.

Sarah Brown. I did live in Swan Yard, at a lodging; and have known the prisoner about a week or a fortnight; the prosecutor was in my apartment on a Friday night.

Q. Who brought him there?

S. Brown. Mrs. May happened to bring him in.

Q. Who is Mrs. May?

S. Brown. That is the prisoner at the bar. She lodged in a garret at a shilling per week, and I, out of good-nature, let her be in my room.

Q. What time did she and the prosecutor come in?

S. Brown. I believe it was between nine and ten o'clock, or eight and nine; I do not know which.

Q. What did she bring him there for?

S. Brown. I do not know; I saw nothing disagreeable there.

Q. How long did they stay?

S. Brown. I really do not know, for I was backwards and forwards, because I expected somebody coming in.

Q. Did they go to bed together?

S. Brown. The gentleman was on the top of the bed to be sure.

Q. Was she on the bed?

S. Brown. She was.

Q. Was you?

S. Brown. No, I was not.

Q. Was you in the room all the time they were?

S. Brown. I was some part of the time, but I went out, because I thought somebody was at the door.

Q.

Q. Did you see the prisoner take any thing from the prosecutor?

S. Brown. I know so far, that she did take some money from him, I know she did do such a thing.

Q. How much?

S. Brown. I do not know.

Q. How do you know she took any?

S. Brown. She offered me three guineas, and put it into my hand, that I should not tell.

Q. What did she offer you that for?

S. Brown. She said, Brown, here this is a gentleman that looks as if he would not be so ridiculous as to expose himself, saying, he would not advertise himself to make himself look scandalous.

Q. How did she come by that money?

S. Brown. I can say so far, she was rustling about his pockets, and she said she took it out of his pocket.

Q. Who did she say so to?

S. Brown. She told me so.

Q. Did she tell you she took it out of the man's pocket? in your examination before the justice, you did not say one word of her taking the money.

S. Brown. I really have forgot whether she said she took it out of his pocket or no; for she was a little surprised, and took herself away; I followed her as far as Temple-Bar, she had some rum, and treated a watchman with a pot of purf, I followed her, but she got from me, and I went to my landlord but could not find her; she has absconded ever since, till she was taken up.

The prisoner had nothing to say in her defence. Acquitted.

[See No. 490, in Mr. alderman Blackford's mayoralty.]

14. (M.) **Joseph Wilson** was indicted for stealing one copper tea-kettle, value 4d. and three pounds weight of lamb, value 6d. the property of Ann Morgan, widow, Nov. 1.

Acquitted.

15. (M.) **Ann Smith**, wife of Robert Watkinson, was indicted for that she, on the 30th of October, about the hour of ten in the night of the same day, the dwelling-house of Abraham Day, feloniously did break and enter, and steal ten pounds weight of cheese, value 2s. thirty pounds weight of butter, value 15s. and ten pounds weight of beef, value 2s. the property of the said Abraham.

Abraham Day. I live at Highgate; on the 30th of October last my house was broke open between ten and eleven at night, and the goods mentioned in

the indictment were taken out.

Q. What part of your house were they taken from?

Day. From out of a place we call the buttery.

Q. Do you know who took them?

Day. I saw the prisoner at the bar take them.

Q. Did you know her before?

Day. She was my next door neighbour. I lay below stairs. We were in bed, the buttery is just by my bed's head; she threw a hanging shelf down which gave the alarm, I got up and went to the door, and saw her taking the things out; she was putting them out at the window; I seized her about five minutes after, at a neighbour's house, and charged the constable with her; she at first denied it, but afterwards she owned it, and fell on her knees and beg'd I would forgive her, and said she would forsake the place of Highgate, and never come there again.

Q. How did she get in?

Day. She or some of her accomplices broke the window; I did not see her get in nor go out; but I know she must get in at the window: the window was broke enough to get at the turn-backs of the casement to open it, which was done; then there was room for any body to get in, it is eighteen inches wide; it is very likely she had somebody with her, I do not know how she could get the goods out herself.

Sarah Day. I am wife to the prosecutor, I sit the prisoner down on her knees, begging we would forgive her.

James Boulton. I am constable, I had the prisoner in charge, she has a great family of children and is hard put to it to maintain them. Guilty of felony only.

16. (M.) **Elizabeth**, wife of John Pabney, was indicted for stealing two blankets, value 4s. one bolster, value 2s. three stuff curtains, value 12d. two pillows, value 12d. the property of Rebecca Haslewood, widow, the same being in a certain lodging room, let by contract, &c. October 7.

Rebecca Haslewood. The prisoner lodged in my house about five months; I let her a ready furnished lodging; she took away the things mentioned in the indictment, which were let to her with the lodging.

Q. Did you ever find them again?

R. Haslewood. Yes, they were pawn'd to Mr. Milner, in White-chapple, in her name; she owned to me she had pawned the curtains, but said her husband bid her pawn them.

Jeremiah Milner. The prisoner brought two blankets,

blankets, one bolster, two pillows and three stuff curtains, and pawned them with me; when the prosecutrix came for them, I gave them to her. I always took her to be an honest woman before.

Prisoner's Defence.

My husband sent me to pawn them; Mrs. Haslewood knows I told her so. Acquitted.

17. (M.) Christopher Wepor was indicted for stealing 240 squirrel skins, value 3l. 150 pieces of squirrel skins, value 20s. 42 skins called Hudson's Bay martin, value 10l. and 4 fox skins, value 18s. the property of Tobias Kleinert, in the dwelling-house of the said Tobias, Nov. 10. †

Tobias Kleinert. I lost the goods mentioned in the indictment, on the 10th of last month.

Q. Do you know who took them?

Kleinert. I employed the prisoner by the week, as a labourer; he went away and hired himself to an East India captain, and he came to me to desire I would give him a character. The day that I missed the Hudson's Bay martins I charged him with taking them, I only missed them at that time. The person that he sold them to came to me and told me of it, and said he had bought more of him. I took the prisoner before Mr. Fielding, and there he confessed he had taken them, and three fox skins more than Mr. Arnold had bought of him.

Richard Bellamy. I am a headborough, and took the prisoner into custody; he was carried before Mr. Fielding, where he made a voluntary confession, upon being charged with taking the skins, and begged forgiveness. [The Hudson's Bay martins produced in court.]

Mrs. Arnold. The prisoner at the bar brought these Hudson's Bay martin skins to our house, and said there were a large quantity of them just come from abroad, of different sorts, that these were all he had brought on shore, and mine was the first house he had been at. I asked him if he was a furrier. He said no, he was quite a stranger in town, and knew no furriers. I asked him if he knew any journeymen. He said no; and making a very good appearance, I bought them of him.

Q. Where do you live?

Mrs. Arnold. I live at the corner of Cornhill, near to the Mansion house.

Prosecutor. I had 68 martin skins in my shop, and I lost 42, here are 40 in court.

Q. did you lose them all at one time?

Prosecutor. They were taken away at different times.

The prisoner had nothing to say in his defence, but

called his master, the prosecutor, to his character.

Prosecutor. The prisoner had been with me about six weeks and behaved exceeding well; he has worked till the blood spun out of his fingers ends, but was not of the trade; he is a cook, and had hired himself to be a cook to an India captain.

Guilty 39s.

18. (M.) Mary Sturges, widow, was indicted for stealing one brass fender, value 2s. 1 pair of iron tongs, value 6d. 1 feather pillow, value 12d. and 1 blanket, value 2s. the goods of William Hopkinson, the same being in a certain lodging room let by contract, &c. November 27. †

William Hopkinson. The prisoner at the bar came and took a ready furnished room of my wife at 2s. a week. After she had been in the room the things were missing, so we charged her with taking them, which she owned she had pawned to Mary Forrest, where I found them. The prisoner in her defence said she did it out of necessity. Guilty.

19. (M.) Elizabeth Burrell was indicted for stealing one silver watch, value 3l. 2 caps, value 1s. one silk cardinal, val. 3s. one shift, val. 2s. one handkerchief, value 2s. the goods of William Braddock, November 21. †

Catherine Braddock. My husband's name is William, the prisoner came to live with me on the Tuesday, and she stole my husband's watch on the Wednesday; she took away also the other things mentioned in the indictment.

Q. How do you know she stole the things?

C. Braddock. because she confessed it.

Margaret Spooner. The prisoner was Mrs. Braddock's Servant. I being a neighbour she desired I would go with her to the prisoner after she was in the gatehouse, where the prisoner delivered the watch to me; she was stop'd at a pawnbroker's as she was going to pawn the cardinal, so the prosecutrix came to know of it; she was taken before justice Carkiss, where she owned the taking of the things, all but the watch; that was not missing then. [The goods produced in court and depoted to.]

The prisoner had nothing to say in her defence. Guilty.

20. 21. (M.) Margaret Battishall, widow, and Ann her daughter, spinster, were indicted for stealing one pair of sheets, value 6s. one flat iron, value 1s. and one brass candlestick, value 6d. the goods of John Wassa, the same being in a certain lodging room let by contract, &c. Nov. 3. †

Margaret Guilty 10d. Ann Acquitted.

22. (M.)

22. (M.) **Thomas Hartshorn** was indicted for stealing one black mare, value 6l. the property of **Thomas Parker**, November 30. ||

Thomas Parker. I live at Buckland in Berkshire. I lost a black mare out of my stable on the 28th of November last; I missed her about 8 in the morning.

Q. When had you seen her last?

Parker. I had seen her in the stable over night.

Q. Was the stable door locked?

Parker. No.

Q. Is your stable joining to or near your house?

Parker. It is near my house.

Q. Did you ever find your mare again?

Parker. I overtook the prisoner at the bar as he was leading her along the road with a halter at Kensington, about the middle of the same day.

Q. Had he no saddle?

Parker. No, nothing but a halter.

Q. Did you know him before?

Parker. He was a stranger to me, I can't say but I had seen him before. I asked him where he had that mare, he said he was leading her along for a man; then I took hold of the halter, and of him likewise.

Q. Did he know you, can you tell?

Parker. I do not know that he did; I told him the mare was mine; then we got a constable and secured him.

Q. Did he point out any man that he was leading the mare for?

Parker. No.

Q. How long before that time had you seen the prisoner?

Parker. I had seen him about three or four days before at our house; he carried hard-ware about.

Q. Had you any conversation with him?

Parker. No, none at all.

Edward Hicks. I came up from Berkshire with the prosecutor after the mare, and found the prisoner leading her along by a halter at Kensington, in the road. The prosecutor took hold of the mare. Said the prisoner, what do you mean. The prosecutor said this is my mare, and I will swear to her; the prisoner said he was leading her along for a man. Then we sent for a constable, and took him before justice Fielding. He said, he was persuaded to do it by two women that were along with him, as we were carrying him along; that he bought a halter at Abingdon the night before, and then went to Buckland and lay in the rick yard till he saw the carter had suppered up his horses, and when the servants were all in the house at supper he went and took the mare, and rode away with her.

Prisoner's Defence.

I have a mother in London about seventy years of age; I wanted to come up to see her, and I took the mare to come up upon, but not with any intent to sell her, neither did I offer to sell her. I beg for mercy, and that I may be sent to serve his majesty, either by sea or land. Guilty, Death.

23. (M.) **James Swingwood** was indicted for stealing 2 baskets, value 6d. and 120 drinking glasses, value 40s. the property of **Richard Windle** and **Thomas Quinton**, November 1. †

James Hambleton. I was servant to Messrs Windle and Quinton, at the Green Yard; they have a very large manufactory of all sorts of flint glasses.

Q. Do you know the prisoner at the bar?

Hambleton. I do, he was teaser there.

Q. What is that?

Hambleton. That is to stoak the fire, and keep it up.

Q. Do you remember any thing of any glasses being taken away by the prisoner?

Hambleton. Yes, two baskets, which contained about ten dozen of drinking glasses.

Q. Where were they before he took them away?

Hambleton. They were in my master's yard, laid by in a convenient place, till he could take them away by night.

Q. Where were they before they were put in that convenient place?

Hambleton. They were in the warehouse.

Q. Who brought them out of the warehouse?

Hambleton. The prisoner at the bar did.

Q. How do you know that?

Hambleton. Very well, for I was with him at the time; we were partners in it, and he brought them to our house. Then one **Persia Hart** came and fetched them away; she bought them.

Q. What was she to give for them?

Hambleton. She gave two shillings and six pence a dozen for one parcel, and two shillings for the other.

Q. What were they worth?

Hambleton. The parcel for which she gave two shillings and six pence, were worth four shillings and six pence per dozen, and that at two shillings were worth three shillings and three pence, or three shillings and six pence per dozen, to sell to the trade.

Q. When was it that he and you took them away from your master's yard?

Hambleton. That was about six weeks ago; it was about the 1st of November.

Q.

Q. What did Mrs. Hart do with them?

Hambleton. I cannot tell.

Q. Did she keep a shop?

Hambleton. No, she did not; she told me afterwards she had sent them into the country.

Q. Did your masters, or either of them, know of your taking them away?

Hambleton. No, at that time they did not know they were stolen.

Prisoner. That witness gave me the glasses out of the warehouse.

Q. Which of you proposed the first robbing your masters?

Hambleton. We were all of us very willing to do it.

Q. How long had the prisoner been servant there?

Hambleton. He had been servant there about two years.

Q. How long had you?

Hambleton. I had been servant there on and off till May last these six years.

Q. What was your employ?

Hambleton. I was sometimes porter, and sometimes employed in the mill.

Q. What was this man's character, during the time he was there?

Hambleton. I never heard any thing ill of him in my life till this.

Q. Did the woman pay ready money for the glasses?

Hambleton. She did, and was always drawing us in for more as fast as she could.

Elizabeth Hambleton. I am wife to the other witness; there were glasses brought several times from Mr. Windle's to our house. The prisoner had the key of our door to let himself in, and he brought the two last baskets to our house himself in the night.

Q. When was this?

E. Hambleton. I do not know the exact time, but it was in November; he had been in gaol on suspicion before that, but nothing being found against him, he was discharged. After he had brought them, he gave Mrs. Hart an account of them, and she came in the morning and fetched them away.

Q. Did you ever see any money paid?

E. Hambleton. No, I did not.

Mr. Windle. The glass manufactory belongs to Mr. Quinton and myself.

Prisoner's Defence.

Hambleton gave me the key of his house and of

the warehouse, to take and bring them to him; and he received the money for them. Guilty.

24. (M.) *Robert Robinson* was indicted for stealing one basket, value 3d. and seventy-two drinking glasses, value 27s. the property of Richard Windle and Thomas Quinton, Nov. 1. †

At the desire of the prisoner the witnesses on both sides were examined apart.

James Hambleton. I have been acquainted with the prisoner at the bar about three years; he lived just by the glass-house, and was a servant to the prosecutors.

Q. In what capacity?

Hambleton. He was sometimes packer, and sometimes porter.

Q. Have you any particular place for packing up goods?

Hambleton. Sometimes they are packed up in the warehouse, and sometimes in the yard. About seven or eight weeks ago the prisoner and I took out glasses several times, and carried them away.

Q. What quantity at a time?

Hambleton. I cannot directly say how many; I know he took six dozen and brought them to my house at night about eight or nine o'clock, and left them there with my wife; I was not at home.

Q. Then how do you know that he carried them to your house?

Hambleton. I found them there when I came home; they were packed up before to be brought, and it was the same basket which I saw packed.

Q. Did any of your masters's people know of his bringing them away?

Hambleton. No.

Q. What were they worth per dozen?

Hambleton. They were worth four shillings and six-pence per dozen, they were the best glasses.

Cross Examination.

Q. Was it not his business to pack up glasses to send to customers?

Hambleton. It was.

Q. Has not your master a variety of baskets belonging to his warehouse?

Hambleton. Yes, he has a great many dozen.

Q. Can you swear positively that was the same basket which you saw pack'd before, as you speak of?

Hambleton. I cannot say it was the same basket; they were the same goods.

Q. Is not one glass like another?

Hambleton. Yes.

Q. Can you swear to one particular basket from the rest?

Hambleton.

Hambleton. We cannot, but I am very confident this basket is what I saw in my master's warehouse, which was brought to my house.

Q. Was you not once in Newgate?

Hambleton. No, never in my life.

Elizabeth Hambleton. I have known the prisoner a good many years.

Q. Do you remember his bringing glasses to your house?

E. Hambleton. I do, several times.

Q. When was the last time that he brought some?

E. Hambleton. He brought a little basket to our house about two months ago; there were glasses in it.

Q. What became of them?

E. Hambleton. Mrs. Hart, a Jew woman, came and fetched them away.

Q. How long had they been at your house before she came?

E. Hambleton. They did not stay long before she came. She brought her maid (named Brown) along with her sometimes, but she took these away herself.

Q. Do you know what money was paid for them?

E. Hambleton. No, I do not; the prisoner has brought several dozen of glasses in his pockets at dinner and supper times to our house.

Q. What sort of glasses?

E. Hambleton. Drinking glasses.

Q. How often?

E. Hambleton. A number of times, but I cannot tell how many indeed; he has brought half a dozen at a time.

Cross Examination.

Q. What is your husband?

E. Hambleton. He is sometimes one thing, and sometimes another; he did work there.

Q. What sort of a basket was it which the prisoner brought to your house?

E. Hambleton. It was a little basket.

Q. How many glasses were there in it?

E. Hambleton. I cannot tell.

Q. Are you sure the prisoner brought the glasses to your house?

E. Hambleton. I am sure he packed them up to bring.

Q. By what are you sure?

E. Hambleton. Because I heard my husband say so.

Q. Can you tell who brought them?

E. Hambleton. Upon my word I cannot tell

who brought them, whether my husband or the prisoner, for they were both together when that was brought; but it is out of my power to tell how many baskets of glasses they brought in all.

Council. Your husband just now denied bringing the last basket.

E. Hambleton. That basket *Robin* brought I am sure.

Q. When was that brought?

E. Hambleton. I cannot tell that; the prisoner has often told me he has packed up glasses to bring, and has laughed and said, he would not have his late wife know of it, for she would tell.

Q. Who came with *Robin* when he brought the basket?

E. Hambleton. I cannot tell, he came to me and told me he had left a little basket, and that the Jew woman was to come and fetch it away.

Q. Where was you when he brought it in?

E. Hambleton. I was then in the kitchen, and he put it in the shop.

Q. Could you in the kitchen see what was done in the shop?

E. Hambleton. I believe it was night.

Q. How far is your kitchen from the shop?

E. Hambleton. It is just by.

Q. Did the prisoner bring that basket you speak of alone?

E. Hambleton. There came none but himself, and my husband followed him a little after.

Q. How came you to let the baskets be brought to your house?

E. Hambleton. Because they made a frequent practice of it.

Q. For what purposes were they brought there?

E. Hambleton. Because they were stolen goods.

Q. Was you present when Mrs. Hart took that basket and glasses away?

E. Hambleton. I was.

Q. By whose order was that?

E. Hambleton. By *Robin's* order; they used both to go together. He used to come to our house on Sunday mornings, and take my husband with him to Mrs. Hart's.

Q. How do you know that?

E. Hambleton. Because my husband has told me so, and I have seen them go together.

Q. Was not your husband committed to prison once?

E. Hambleton. No, never in his life; he was never in custody before this.

Q. Was not you once in Newgate?

E. Hambleton. No, never.

E. Hambleton. I was, for buying two pounds and a half of sugar in my own shop.

Q. Did not your husband run away for it?

E. Hambleton. No.

Mary Brown. I did live servant with Mrs. Hart, and have been at Hambleton's house with her twice, to fetch away glasses; she used to hire me as a chairwoman, and to work plain work.

Q. How many glasses can you say there were?

M. Brown. I believe about nine or ten dozen.

Q. When was the last time that you fetched glasses from thence?

M. Brown. I believe it is about a year ago, or better; she has gone on above a year and half buying of these people.

Q. What people?

M. Brown. These three people, Swingwood, the prisoner, and Hambleton; I have been with her to all their houses, have seen her pay for them, and take them away.

Q. Where did Mrs. Hart live?

M. Brown. She lived in Gravel Lane, Houndsditch.

Q. What did she use to do with the glasses?

M. Brown. She used to bring them home to her house, and sell them to Jews that hawk about the streets; she is a Jew.

Q. What did she use to give for them?

M. Brown. She used to give two shillings per dozen for what she had of Swingwood, and half a crown for what she had of Robinson; I have seen it paid to Robinson in his own house.

Q. Did you know where they were brought from?

M. Brown. I saw the prisoner come out of the glass-house with some in his pocket, from Mr. Quinton's back gate, by his garden, and deliver them to Mrs. Hart.

Q. How long is that ago?

M. Brown. That is about ten months ago.

Q. How do you know they were Mr. Quinton's glasses?

M. Brown. I knew he worked there. When I went once with Mrs. Hart he said, "Why do you bring this person with you; can she keep a secret?" She answered, I know her very well, for she has been with me so long, she will not tell. I did not know that the glasses were stolen till that time he came out of his master's gate with some. When I came home, I said to Mrs. Hart, I fancy he does not come honestly by them, or why did he ask you whether I could keep a secret.

Mr. Windle. All these glasses, manufactured at

our glass-house, are my partner's and my property.

Q. Was the prisoner your servant?

Windle. He was.

Q. Did you ever give him leave to carry out glasses to sell?

Windle. No; there never were such privileges given to any of our servants; he has sometimes had bills and receipts with him, to bring the money for them, but he never carry'd any out to sell by our order.

Cross Examination.

Q. Do you know, of your own knowledge, any of these glasses, which the witnesses have been speaking of, to be your property?

Windle. No, for I saw nothing; I only speak by the information of other people.

Q. Did you trust the prisoner to carry out glasses?

Windle. I did, as a porter, and he was to deliver those glasses to the people where the bills mentioned.

Q. Might not these be glasses which you delivered to him for that purpose?

Windle. I apprehend not.

Q. How long has he lived with you?

Windle. I cannot say exactly, but I look upon it to be three or four years.

Q. How has he behaved?

Windle. He behaved very well, as we thought, till about three or four months ago, when we had occasion to suspect him.

Q. Upon whose information?

Windle. Upon his not giving an account to us when we asked him concerning the glasses which were stolen. There was one Levi; a Jew, who was another servant of ours, as a labourer, had told the prisoner if he would get glasses out of our warehouse, he would sell them for him; and he never told us of it, which was his duty, being our servant. We have suspected the prisoner above twelve months, but we never could catch him before, so we were obliged to abide by the loss.

Thomas Quinton. I am joint partner in this manufactory with Mr. Windle.

Q. Did you ever give orders to any of your servants to carry out glasses to sell?

Quinton. No, never; neither are there any among us that give orders to any servant so to do.

Cross Examination.

Q. What was the prisoner in your service?

Quinton. He was packer, and used to carry out parcels of glasses to customers, with bills and receipts

closets at the bottom, to receive the money for small parcels; but this was but very few times.

Q. How came you to apprehend he was concerned in stealing glasses?

Quinton. I had reason to suspect him; some time ago we lost a box of glasses, so I took him along with me to examine some that we suspected; I looked at them, and told the prisoner that the greatest part of those goods were mine. He looked at them, and said he did not think they were. I said, do you not remember this and the other remarkable glass? He said, no, he did not think they were ours, which made me suspect he was concerned in the thing, and from that time I had a bad opinion of him.

Q. Did you ever find any glasses upon him?

Quinton. No, I never did, nor in his house.

Q. Did you ever see him take any away?

Quinton. No.

Q. When this charge was made against the prisoner, did not you disbelieve it, from his former behaviour?

Quinton. I did disbelieve it at first.

Q. Even after the information you had received, was you not desirous of still keeping him in your warehouse?

Quinton. I'll tell you the reason of that; I said, Robin, there is an information against you that you have been concerned in stealing glasses and things from us a great while, on which he cry'd and seem'd to take on terribly; he said he never saw any thing taken, and that now as his character was gone how should he get his bread?

Q. Who did you receive the information from?

Quinton. From Mary Brown, the witness; upon which I took three of my servants up, and Hambleton turn'd evidence.

Q. Was not the prisoner desirous of seeing his accuser face to face?

Quinton. I mentioned Levi to him and said, Bring him to me, and let us see you face to face; he said, if Levi was above ground he would bring him, but he never did, tho' he had opportunities enough; Levi is since run away, but he was not for three weeks after I mentioned him to the prisoner. Levi came to me one Saturday night, and said here I am, why will not Robin take me up, saying also he durst not.

Prisoner's Defence.

As to that woman Mary Brown, I do not know I ever saw her in my life till before justice Fielding; I brought Levi into the warehouse, but my master was not there, and I had no opportunity since; as

to the case of the glasses, I was not there when the fact was committed, and I suppose they exasperated my master against me, because I would not swear to the thing I was not privy to.

To his Character.

William Burfley. I have known the prisoner eight or nine years, at Newcastle upon Tyne.

Q. What is his general character?

Burfley. I never heard it stain'd in my life; he went under the character of a very honest industrious man, and work'd as a packer to Mr. Bates at Newcastle; he in liquor one day enter'd as a soldier, and I have heard Mr. Bates say he was sorry when he went away.

Q. to Mr. Quinton. Did you know him at Newcastle?

Quinton. Yes.

Q. What character did he bear there?

Quinton. I never heard any thing amiss of him there.

William Smith. I have known the prisoner ever since I can remember any thing.

Q. How has he behaved?

Smith. He always had a good character.

Mrs. Smith. I have known him 16 years.

Q. What is his general character?

Mrs. Smith. A very good one.

James Harris. I am paymaster serjeant, and have known the prisoner 4 or 5 years; he behaved extremely well as a soldier, and was trusted in the store-room, where there is money and things; he always behaved as an honest man, and is now a soldier.

John Caunt. I have known him ever since I can remember, and never heard any thing amiss of him before this.

Richard Curtiss. I belong to the same company as the prisoner does, and have known him 4 or 5 years; he always behaved as became a soldier.

Q. What is his general character?

Curtiss. I never heard any thing amiss of him till now.

John Ingleton. I have known him about 11 years.

Q. What is his character?

Ingleton. I work'd some years with him in the same shop at Newcastle, and never heard a bad character of him before.

Mary Ingleton. I have known him 11 years, his character is extremely good, and I never heard a bad thing of him till now; he lodged in my house, and afterwards lived the next door to me for 7 years, at Newcastle.

Q. How long have you been in London?

M.

M. Ingleton. No more than 5 months.

James Rubens. I have known him 20 years; he has the character of a sober, honest and industrious man; I knew him when he work'd at the glass-house in Newcastle, and before.

Thomas Wilkerson. I have known him about 9 or 10 years; he bears the character of an honest man.

Q. Have you known him lately?

Wilkerson. Yes, I am clerk to Mr. Quinton; he behaved as a very diligent servant, and I can say nothing against his honesty.

Q. Are you clerk in the computing-house?

Wilkerson. Yes.

Q. Are you related to Mr. Quinton?

Wilkerson. I married his sister. Guilty.

25. (L.) Samuel Fuller was indicted for that he, on the king's highway, on Joseph Stevens did make an assault, putting him in corporal fear and danger of his life, and taking from his person five guineas, one half guinea, one 36s. piece, and one silk purse, value 1s. his property, Nov. 15. †

Joseph Stevens. I live in Daget's Court, Brokers-Row, Morefields. On the 14th of Nov. at night, I was in Broad-Street, at the Rose and Crown, the house of Mr. Barber. I went away it might be past twelve at night; the prisoner is a watchman, and was called to take care of me home.

Q. Was you in liquor?

Stevens. I was a little in liquor, yet I could have gone home by myself, but my friend called the watchman to go with me. As I was in Bedlam-Passage going out of Broad-Street, I apprehend I was knock'd down.

Q. Who knock'd you down?

Stevens. The prisoner at the bar, I believe; I know I was knock'd down.

Q. Was any body else near you?

Stevens. No, only the prisoner and I together.

Q. Can you be certain who knock'd you down?

Stevens. I am very certain it was the prisoner, I knew him again four or five days after, tho' he was not in his watchman's dress.

Q. How was he dress'd when he went along with you?

Stevens. He was in a watchman's dress, and had a great coat on.

Q. What was you knock'd down with?

Stevens. I was knock'd down with a large staff or stick, I was struck on my left cheek and my nose, which made me incapable of going out for two or three days.

Q. What happened to you after you was knock'd down?

Stevens. He took me home notwithstanding, I was to give him six-pence. I had a shilling or two in my other pocket loose, so I gave him a shilling, and he was to have brought me six-pence the next morning, but he never did.

Q. Did you lose any thing?

Stevens. I had five guineas and a half and a 36s. piece in my pocket, but do not know who took it out of my pocket, it was in a green purse in my side pocket; I am morally certain he knock'd me down.

Q. When did you miss your money?

Stevens. I missed it the next morning; the first thing I did was to look for my money.

Q. Cannot you be certain who was the man that took the money out of your pocket, as well as who knock'd you down?

Stevens. I cannot say that; I can only say I had the money in my pocket when the prisoner took care of me. When I was knock'd down I was stunn'd with the blow and fall together, and not sensible of what might be done to me; when I missed my money I was sensible of my being knock'd down, and that there was nobody but the prisoner near me; then I sent to Mr. Barber, in order to find out the watchman, and he found him on the Monday following about three o'clock.

Q. What day of the week was you knock'd down?

Stevens. On the Wednesday evening.

Q. What account did your friend Mr. Barber give you, when you sent to him?

Stevens. He said he could not tell where he lived, but by enquiring of Mr. Tudman, the beadle of the ward, he found him.

Q. Was he not to be found upon his stand?

Stevens. No, the prisoner absented himself from his duty, so Mr. Tudman sent for him to pay him for his watching, and appointed me to be there. I knew him as soon as I saw him; he was secured and taken to the comptroller that night, and next morning carried before my lord-mayor. I was present, and charged him with knocking me down, alledging that my money was taken from me. He owned he went home with me, but not that he had knock'd me down, or took my money. At the time that I charged the constable he denied that he had ever seen me in his life, or ever went any where with me. He also offered to make it up with me and offered to give me so much a week; I have witnesses here that heard him:

Note, The Second Part of these Proceedings will be published in a few Days.

T H E

THE
PROCEEDINGS

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 5th, *Thursday* the 6th, and *Friday* the 7th, of DECEMBER,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER I. PART II. for the YEAR 1760.

Being the First SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed, and sold by G. KEARSLY (Successor to the late Mr. Robinson) at the
Golden-Lion, in *Ludgate-Street*, 1759.

[Price Four-pence.]

THE P R O C E E D I N G S O N T H E

King's Commissions of the Peace, and Oyer and Terminer, for the City of
L O N D O N, and at the General Sessions of Gaol Delivery of *Newgate*,
holden for the said City of L O N D O N, and County of M I D D L E S E X,
at *Justice-Hall* in the *Old-Bailey*, &c.

Q. **D** I D not you examine your pocket at the time you gave him the shilling?

Stevens. No, I did not.

Q. How came you not to charge him that night?

Stevens. I did not know that I should have occasion to charge him with robbing me, not knowing then that I had been rob'd.

Court. You had sense enough to give him a shilling, and desired him to bring you six pence the next morning.

Stevens. Yes.

Q. Did not you at that time recollect he was the man that knock'd you down?

Stevens. I am sure he is the man that knock'd me down.

Q. Then why did you not charge him that night?

Stevens. Very early in the morning I recollected I had been knock'd down. The prisoner said I fell.

Q. What company had you been in at the house where you came from?

Stevens. I had nobody but Mr. Barber and his wife with me.

Q. Did you get in liquor with this man and his wife, or where did you get it?

Stevens. I had been in company before at the sign of the Mansion-house, opposite the Mansion-house; but I had been there but half an hour.

Q. Where was you made fuddled?

Stevens. It was by what I drank at Mr. Barber's, I drank but part of a tankard of beer before. I was very well when I came in.

Court. It is very odd that a man should be knock'd down by another, and reward that man that knock'd him down with a shilling; and again it is as odd that the same man should go home with

him afterwards. What company was you in at the Mansion-house?

Stevens. I was only with my fellow servant. I travel for Mr. Maltby, who is a linen draper.

Q. Did you produce your money that evening before your fellow-servant?

Stevens. No. I am sure I had it when I went into Mr. Barber's house.

Q. Where had you been before you went to drink with your fellow servant?

Stevens. I went immediately from my business at Mr. Maltby's.

Abraham Renew. I am a watchman. Samuel Fuller, the prisoner at the bar, was with me that night, I am upon the same stand in Broad-Street with him; he is a spare man, so was put with me that night. I know that night he was absent from his stand for about two hours and a half, or three hours; when he came back, I asked him where he had been; he said he had been at Mr. Barber's, and had been with a job; I asked him what job; he said he had been along with a gentleman home. He said first of all the gentleman thought of going in a coach, but he thought afterwards he was capable of going home without a coach, so discharged the coach, and took him with him. He was afterwards taken in custody at Mr. Tudman's, and I and another watchman were charged with him.

Q. What time did you miss the prisoner from his stand that night?

Renew. I missed him about ten o'clock, and he came to me again after one; when we were charged with him we took him to Mr. Barber's, and there the gentleman said he had better own it, but he denied it; at last he made a proposition, that if Mr. Stevens would take so much money down, he would give him a note to pay him so much a week till all was paid.

Q.

Q. What said the prosecutor to that ?

Renew. He would not make it up, and the constable said he could not.

Q. Was he there charged with knocking the prosecutor down ?

Renew. He was ; Mr. Stevens charged him with it. At first he said he never knew the man, nor never went home with him, and afterwards, before my Lord-mayor, he own'd it.

Q. *from prisoner.* Whether my Lord-mayor would admit the prosecutor to take his oath about who knock'd him down ?

Prosecutor. My Lord-mayor made no difficulty only in this, that as I was in liquor it was dangerous to grant me my oath as to my being certain of his robbing me ; I told his Lordship, I was sure he knock'd me down.

Mr. Woodward. The first time of my seeing the prisoner was in the constable's custody, charged with knocking the prosecutor down and the robbery. I told him myself I thought his case look'd dangerous, and adviled him to make an end of the affair rather than go before my Lord-mayor, for then it would be too late ; so after some time he called me out.

Q. Where was this ?

Woodward. At Mr. Barber's ; the constable was against his going out, but I told him I would take care of him ; when we came out, he asked me if I thought Mr. Stevens would make it up ; I told him I knew nothing of that, but thought his case was dangerous ; he said, *I have not all the money by me, but I will pay part of it down, and I'll pay him the other part weekly, tho' I am innocent too ;* these were his words, and I told him I thought he was both a knave and a fool. The prosecutor never accepted of his proposal, tho' the prisoner urged the thing several times, saying he would pay part down, and give a note for the payment of the rest.

Q. How came you to be there ?

Woodward. I am an acquaintance of Mr. Stevens, and he desired I would go with him.

John Barber. I keep a publick house ; Mr. Stevens was at my house on the 15th of November last.

Q. What condition was he in when he first came into your house ?

Barber. He was in liquor, but I did not observe it till he went to get up to go away.

Q. Do you, or do you not know whether he was in liquor when he first came into your house ?

Barber. Then he was in liquor.

Q. How was he when he went out of your house ?

Barber. In liquor to be sure.

Q. Was he more in liquor when he went out than at coming in ?

Barber. He was, so I thought it necessary to take care of him when he went home, and delivered him to the prisoner, desiring him to see the gentleman safe home ; the prisoner undertook it, and I saw them go past Broad-street church.

Q. How far is his home from your house ?

Barber. I believe about four or five hundred yards ; it is in Daget's Court, the farther end of Broad Street Buildings.

Q. After this did the prosecutor ever acquaint you that he had been knocked down and rob'd ?

Barber. He did the next day, which was on the Thursday.

Q. What did he say to you ?

Barber. He told me he had been knocked down and rob'd of his money, and asked me whether I knew the watchman that went home with him.

Q. Did he tell you who he believed the person was that knocked him down and robbed him ?

Barber. He said he believed it was the watchman that I sent home with him. I did not know the prisoner's name, so I inquired among the watchmen, and found him out. There was one Berry, a watchman, that was opposite our door at the time, who was to have fetch'd a coach for Mr Stevens to go home in, but the prisoner, being a younger man, out-ran him, and got the coach. Then Mr. Stevens would not be persuaded to go in it, but said he would walk home. When I found he would not go in the coach, I desired the prisoner (he being a watchman belonging to the ward) to take care of him, and see him home, thinking there was no danger. He took his lanthorn and staff with him, and I saw Mr. Stevens walk very well as I stood at my door.

Q. *from prisoner.* What did he give the coachman ?

Barber. He gave him a shilling, but would not go with him.

Q. *from prisoner.* What did my Lord-mayor do in regard to giving him his oath ?

Barber. My Lord-mayor was a little tender as to that, till he heard the prisoner wanted to make it up with Mr. Stevens ; then I believe it made him think the prisoner was guilty.

Q. What hour of the night was it when he went out of your house ?

Barber. The watchman was going one o'clock when he was first called, and I believe it was better than half an hour after when they set out.

Q.

Q. to Renew. What time did the prisoner return to his stand?

Renew. It was pretty near two o'clock.

Q. to Barber. What time did Mr. Stevens come to your house?

Barber. I believe he came in about half an hour after eleven o'clock on the Wednesday night, and went away on Thursday morning as I have mentioned.

Prisoner's Defence.

I went home with Mr. Stevens, but I do not know any thing of what he says.

To his Character.

John Jones. I have known the prisoner about two years; he has work'd for me as an out-door porter, and has been very honest as far as I know. I have trusted him to receive small sums of money for me, about four, five, or six pounds; I always looked upon him to be a very honest fellow.

John Grimes. I believe I have known him four or five years; he has carried out meat for me, and done business for me as a porter when I wanted him: I never heard any complaint of him.

Q. Did he ever take money for you?

Grimes. No; not as I remember.

Q. to prosecutor. Was there any mark on your head from this blow?

Prosecutor. There were upon my cheek and nose for five or six days. Acquitted.

26, 27. (M.) **Thomas Brown**, and **James Brown**, were indicted for that they, in a certain place, called St. James's Park, near the king's highway, on John Parker did make an assault, putting him in corporal fear and danger of his life, and taking from his person 5s. in money numbered, his property, and against his will, Nov. 28. †

John Parker. I was sent of a message to Westminster; and as I was coming back through St. James's Park, near the upper end of the Bird Cage Walk, Thomas Brown came up to me.

Q. When was this?

Parker. This was the day before the Thanksgiving-day, about six o'clock in the evening. He said, "It is a fine evening, and the weather is warm," and walked a pretty way with me. Then he took hold of my arm, dragged me a little way out of the path, took me round the middle, and then pulled my breeches open.

Q. How far did he take you out of the path?

Parker. But a very little way; it was about as far as from where I stand to the door coming into the court [which is about six or seven yards.] Then

James Brown, the soldier, came up (I was turning myself from the other) and said, "D—n you, you rascal, have I catch'd you?" and struck me on my breast. Another soldier came on the other side, and laid hold of Thomas Brown. James Brown said to me, "D—n you, you dog, I'll have you hang'd, you sodomitical dog," and drag'd me down to the water side, where he and the other soldier, but Brown in particular, demanded my money.

Q. What words did James Brown use?

Parker. He said, Give us your money, or we will have you hanged.

Q. Where was Thomas Brown?

Parker. He and the other soldier were close behind me.

Q. Was this said to you only, or to Thomas Brown and you?

Parker. James Brown said it to me only. I put my hand into my pocket, pulled out my money, and gave James Brown two or three shillings, part of my money, who immediately said I had more, so demanded the rest, felt in my breeches pocket, and took the rest of my money out of my hand.

Q. How much was it?

Parker. He had five shillings I am sure, and I believe more. Then they drag'd me quite down to the island, where the boat goes over, and said I had gold about me, and searched me.

Q. Did not you cry out?

Parker. I did not; then they said I had got a pair of silver buckles, and demanded them, but I refused to deliver them, saying they might swear what they pleased.

Q. Did Thomas Brown demand any thing of you?

Parker. James Brown in particular demanded my money, and I believe Thomas Brown did also.

Q. Did Thomas Brown accompany you all the way down to the water side?

Parker. He did.

Q. Did they take your buckles out of your shoes?

Parker. They did not; then James Brown said he would charge the centinel with me, but Thomas Brown and Matthews the other soldier said, Let him go, let him go; then James Brown said, No, d—n him, he shall not go.

Q. What became of Matthews?

Parker. He was before justice Fielding, I believe he was let go about his business. Thomas Brown made off, and James Brown charged the centinel with me, saying I was a sodomite, and that he had caught

caught me and another man together, but the other man had got away. Then one Mr. Turner, who happened to see the whole affair, came to me, saying, Young man, don't be frighted, I saw the affair, and will go to the officer of the guard and have them taken up; then Brown the soldier went away. Mr. Turner went away, and returned and asked the centinel why he did not keep the soldier as well as me; the centinel said he knew nothing of the affair, and I might go about my business also; then Mr. Turner said I should not go away, for he had seen the whole affair. Soon after that, Brown and Matthews the two soldiers came back; then some soldiers came and took the two soldiers and me to the guard room at Whitehall, and we were taken to Mr. Fielding's, where the two soldiers said they had catch'd me and another man in the Park committing sodomy, and that the other man was got away, meaning Thomas Brown; they swore there that they saw me with my hands about Thomas's neck, kissing him.

Q. *from Thomas Brown.* Did I take any thing from you?

Parker. No.

Q. *from James Brown.* Where was you when I came to you?

Parker. First of all I was near Rosomond's-pond, that joins to the Park.

Q. How far did they take you from the path-way, near Rosomond's-pond?

Parker. They took me down to the canal side, as far as they could go.

A *Juryman.* I know the ground, from the place where he says near Rosomond's-pond, down to the canal where the boat ferries over, is near a quarter of a mile.

Parker. When he had drag'd me about half way there, I saw Matthews and Thomas Brown stand, separated from each other.

Q. Was Thomas Brown by when James Brown took your money?

Parker. He was.

Q. Was he in the custody of Matthews at that time?

Parker. I believe he was not. When James Brown said he would charge the centinel with me, Thomas Brown and Matthews desired him to let me go.

Q. Did you not cry out in all this time?

Parker. No, I did not, I could not see any body, I was so far from the walk, I mean the Bird-cage-walk; as I had walked along, there were people in the walk; this was about six o'clock, St. James's clock had just struck.

Henry Turner. I am servant to lord Harcourt, and have been for eight years. I was going over the Park on business for my Lord that evening, the clock struck six as I came into the Park. I went thro' the walk called the Bird-cage-walk, and I saw Brown the soldier and another soldier dodging and sculking behind the trees by Rosomond's pond; the other prisoner at the bar I beg leave to call the gentleman, for distinction sake, that there may be no mistake in my evidence, as they both go by the name of Brown.

Q. What do you mean by dodging?

Turner. That is what they called the sculk when before Justice Fielding, that is, they were walking from tree to tree, and then standing still and looking about; I thought by their behaviour there was some villainy going forward, because I knew James Brown the soldier ever since the 1st or 2d of August last, having then detected him in—

Court. You must mention nothing but what relates to this present indictment?

Turner. This night I was going along towards Story's gate; about the middle of the walk I saw a gentleman's servant (the prosecutor) coming this way, and the gentleman at the bar walking the other way; he went up to the prosecutor and spoke to him, and turned and went along with him, and went forward towards Rosomond's-pond; then the gentleman took the prosecutor by the arm, and they stop'd for about half a minute or a minute. I had my eyes on the soldiers; presently they rush'd upon the prosecutor and the other, and said, you sodomitical dogs, have I taken you.

Q. Was you near enough to see what pass between the two prisoners at the bar?

Turner. No, my Lord, I might be near 100 yards from them; they were then a little way in the grass, not quite so far as the row of trees at that time; Brown the soldier laid hold of the prosecutor, and said he would drag him to the keeper, but instead of that they drag'd him to the corner where the boat ferries over; then they were farther from me, but I heard the soldier d—n his blood and say, if he would not give him his buckles he would take him to the Savoy. I was afraid to go to them for fear of having a mischief, because I knew Brown the soldier knew me, and he is a very dangerous fellow.

Q. Did you hear any talk about money?

Turner. No, I did not care to go near; I heard Matthews say, let him go away; the soldier Brown said, d—n his blood if he did not take him to the centinel; when they had got him there, I step'd up to the prosecutor, and clap'd him on the shoulder, and said, young man, do not be afraid.

I have seen more of the affair than you may think of. Matthews had hold of the gentleman, but he never brought him up to the centinel. As soon as I began to interfere, Matthews and James Brown went away. I asked the centinel how he dared to confine the man as a prisoner and not the soldiers; he said, what was that to me; then I said, Sirrah, do you not belong to such a regiment; and when he saw I was determined the thing should be enquired into, he wanted the prosecutor to go about his business; then I said to the prosecutor, if you go away, you dog, you ought to be hanged as high as Haman; I'll stand by you, if you will stand your ground by me; then I went to the guard and got some soldiers, who came and took the soldiers in custody; the gentleman as I call him was taken upon James Brown's impeachment.

Q. from Thomas Brown. Whether you know or saw me take any thing from the prosecutor, or called him any names, which are not fit to be named in a Christian country?

Turner. No. James Brown intreated me to go about my business, and not trouble my head with the affair, threatening he would swear sodomy against me, and charge the centinel with me; that if I appeared in this affair, and he could catch me from home, he would swell my head so that I should not be able to go about my business. He said also that I belong'd to the prosecutor, but I had never seen him before to my knowledge.

Mr. Anthony Gifford. Parker has been my servant five years last October, and is a very honest, faithful servant. Since this affair, I have inquired in my family (as he is in some measure charged with the most heinous of crimes by these men at the bar) whether he had any followers came after him at any time: I was told he had nobody come after him, and I do not think there is the least room for such a thought of him. A servant that has lived in my house twenty-five years informed me, that he was never out of my house after nine o'clock since he has been with me, except on a benefit night, when he has gone to a play with the maids; he is an honest, sober, faithful servant as ever lived—I would mention to your Lordship the reason why he was in the Park at that time: I sent him the evening before Thanksgiving day with a brace of pheasants to Great Queen Street, and ordered him also to go to the white house, which is joining to the Gatehouse, Westminster, and after he had been at these places it might be about six o'clock, I have inquired since, and found he delivered his messages punctually; I mention this

to shew, that he did not loiter away his time. When the soldier Brown was before justice Fielding, he desired to be admitted an evidence, which was granted. Then he could readily tell where to find the other prisoner, who was taken and brought there; then he (that is, Thomas Brown) acknowledged being there. He said there had been 500 of these things done there, and mentioned abundance of laced waistcoats. The soldier Brown confessed they had once stripped a man naked, shirt and all.

Thomas Brown's Defence.

I met the gentleman's servant in the Park, who sat down by me; he got up and went up the walk a little way. I stop'd to make water, and walked after him. I said it was a fine evening, and I would walk round. The man that stands by me, and another soldier, came and took hold of him and me, and said we were two sodomites; that we had been committing sodomy and buggery together; they hauled him and me along, and charged the centinel with him, but I went away about my business. As to seeing any thing taken from the prosecutor, I know nothing of it; I saw nothing by him in that way as they charge him; I cannot charge him with what I know nothing of.

Prosecutor. I think this Thomas Brown said I was a sodomite.

James Brown's Defence.

Another soldier and I were walking through the Park about half an hour after six o'clock, when we saw my fellow prisoner and the prosecutor sitting on a bench together; they got up, and walked by us. Then they turned down, went behind a tree, and stood out of sight. The other soldier and I went down and said, there can be no good going forward, when people go down to the water-side at this time of night. Thomas Brown had his arm round the prosecutor's neck, whose breeches were down, and Brown said he wanted to put his tongue into his mouth. I laid hold of the prosecutor, and carried him to the first centinel I came to; he offered me money several times, and said he would give me any thing in the world if I would let him go; there is the soldier at the door whom I charged with him. Call Cartwright.

For Thomas Brown.

Robert Clark. Thomas Brown has been a lodger with me about a year and seven months. He came to me last May was twelve months, under the character of a gentleman, had regimentals on, and appeared as a person that had a commission in the army, but he said he was dismissed. He has had several

several gentlemen come after him, one was a lawyer. I never saw any thing by him, but what answers to the character of a gentleman. A gentleman that lodges with me has left his bureau open, with the key in it, and perhaps 100l. within side; in money and bank notes, yet never lost any thing.

Q. Is that gentleman here?

Clark. No.

Sarah Clark. The prisoner always behaved like a gentleman ever since he has been at our house, in which I have left him alone, and he never wrong'd me of any thing; the company which came after him appeared like gentlemen.

For James Brown.

Henry Carveright. I was sentinel in the Park at the Cock pit, between six and eight o'clock, the night that James Brown and another brought a man to me, and said he was a sodomite, and put him into my box. The man said he had been rob'd of all his money by them, and when Brown and the other soldier came, I took them in charge as well as the footman, till the guard came, and took them away.

Eleanor Dugan. James Brown lodged a great while in my house, and I never heard any thing bad of him before this. James Guilty, Deatly Thomas Acquitted. But ordered to be detained for robbing a person unknown.

28. (L.) Aaron Davids was indicted for carnally knowing, and feloniously abusing Frances Moses, spinster, an infant, under four years of age.

Frances Moses the elder. I live at the upper end of Houndditch.

Q. Have you a husband?

F. Moses. I have; he travels the country, sometimes with necklaces, and sometimes with bluffs and tippets.

Q. How old is that child in your arms?

F. Moses. She is almost four years old. The prisoner at the bar did live in Woolpack Alley, which is but a step from my house; my child went to school with his sister-in-law, and he used to fetch and carry the child to and from school sometimes; he lodged at Ann David's, his sister's house. About six weeks ago she came home, and was very red and hot in her face; after that she would not go to school any more, but was taken very bad; she tumbled about, and could not make water.

Q. How long had she gone to that school then?

F. Moses. This was about four or five weeks after she had first gone to school. Then I took her in my

lap, looked at her, and found she was much swelled, and began to break out in her private parts.

Q. Did you observe that she was torn?

F. Moses. She was not torn, but she had the foul disease.

Q. How do you know that?

F. Moses. I sent for Hannah Jacobs, a midwife, and it was her opinion. I put my child an outpatient in the hospital.

Q. Did you observe any thing upon the child's linen?

F. Moses. No. When I asked the child how she came to be so, she said Aaron hurted her in her private parts; but I could not talk to Aaron about it, my heart ached so.

Cross Examination.

Q. Did you tell the school-mistress that your child had got the foul disease?

F. Moses. I did.

Q. When you told her that, did you agree for a surgeon to examine her?

F. Moses. She advised me to go Dr. Cole, but I was for going to the midwife.

Q. What did the midwife say upon inspecting her?

F. Moses. She said a man had meddled with her, and that she had the foul disease. I went to Mr. Waley, who laid the child on a table, and examined her.

Sarah Solomon. I live in Woolpack Alley, near Gravel Lane, and work with Mrs. Moses by the week; the child could not make water, but cried and roared, and tumbled about like a mad thing.

Q. Did you ever inspect the child?

S. Solomon. No, never.

Q. Did you ever see the prisoner and child together?

S. Solomon. No.

Q. Did you ever hear him say any thing about the child?

S. Solomon. No.

Hannah Owen. I am a midwife, and saw this child about two or three days after it was taken ill; it had a sort of a running and gleer upon it; but I cannot say that the child is hurt, for the body is safe. I will not take upon me to say it had got the foul disease.

Q. What do you mean by hurt?

H. Owen. It was never entered into.

Q. How long is it ago since you examined the child?

H. Owen. It is above three months ago.

Acquitted.

(L.)

(L.) He was a second time indicted for feloniously abusing, and carnally knowing Sarah Jacobs, spinster, an infant, about the age of seven years. ||

Sarah Jacobs the elder. I live in Houndsditch, near the Angel in Woolpack Alley. My husband is a taylor, and I am a necklace-maker; we are near neighbours to Mrs. Davids, the school mistress, who is married to the prisoner's brother. My daughter, whom I have in my arms, is going in the eighth year of her age, and went to school at Mrs. Davids's. The prisoner helped his sister to learn the children to read. My child coming home sickly, I took her alone, and looked at her. She said I must tell nothing, I shall be hang'd up, and put her hands up to her eyes. At last she told me every thing that Aaron Davids did to her. I found her abused and torn terribly, and was very sore upon her private parts. She was more like a woman than a child, her parts being torn open. I went to the school, and beat the prisoner well. My child was always crying out, of her bowels and her limbs, and she could not make water. I found upon her under petticoat something like spots of blood.

Cross Examination.

Q. Do you understand that your child had the foul disease?

S. Jacobs. That you must ask the surgeon, for I do not understand it.

Q. Did you ever declare to any body, after you found your child in this condition, that she had the foul distemper?

S. Jacobs. No.

Q. Did not you say so to one Mrs. Walker?

S. Jacobs. I do not know her.

Q. Upon what day was it you found your child first in this manner?

S. Jacobs. About three months ago.

Q. Do you recollect what day you went to Mrs. Davids's house about it?

S. Jacobs. It was about a week afterwards; it was the day after I found it out, when I beat the boy.

Q. Who was at Mrs. Davids's at that time?

S. Jacobs. I do not know.

Q. What did you say to Mrs. Davids?

S. Jacobs. I said I wanted to take the child away. She said she would make me suffer for it, that I spoke like the rest, and one had caught the pox of the father, the other of the mother, and the other wanted money.

Timothy Davis. I am an apothecary and chymist. Sarah Jacobs brought her child to me about

two months ago (this is the child that is here) and complained it had got the foul disease, by a ravishment, and desired I would let her have a few medicines for the case; I did not examine the child.

Q. Why did you not?

Davis. Because the child refused it, and cry'd and said I should not; so I never examined her so far as to absolutely know the case was either a ravishment or the foul disease; the second time she lay in her mother's lap, I just look'd withinside her thighs and saw a few pimples that were broke out.

Q. Can you tell whether there was a laceration?

Davis. I can not.

Q. How came it you did not look farther?

Davis. I did not chuse it, thinking they had surgeons of their own, and I thought it most requisite for them to do it. I gave her some medicines to cool the heat of her body. I could not cleverly say she was a patient of mine. The mother came and had a shilling-worth of medicines now and then.

Q. Can you or can you not say whether she had the foul distemper?

Davis. I cannot say it was that. I apprehend it might be occasioned by heat of body. I asked the child several questions; she had but one symptom of a venereal disease, and that was the scalding of her water.

Prisoner's Defence.

I know nothing at all about it.

At the Jury's request the child is set up and examined, but not sworn.

Q. Did any body hurt you?

Child. Yes.

Q. Who?

Child. Aaron Davids.

Q. Where does he live?

Child. He lives in Woolpack Alley.

Q. Where is he now?

Child. (Pointing to him.) There he is.

Q. How long is it ago that he hurt you?

Child. A good while.

Q. How long?

Child. I do not know.

Q. Was it last week?

Child. No, Sir, a good while longer.

Q. How much longer?

Child. Almost four months.

Q. How long after you was hurt, did your mother find it out?

Child. I do not know.

Q. Did your mother ever find it out?

Child.

Child. It came out by another child.

Q. Did you never complain to her?

Child. No.

Q. How came you not to complain?

Child. Because he said the rats and mice would eat me up.

Q. to the mother. Did you ever apply to Hannah Owen?

Mother. Yes, once to look at my child.

Q. How long was that after you had found it out?

Mother. That was ten weeks, or two months ago.

Q. Did she look at it?

Mother. She did.

Mrs. Owen. I did not examine this child; the mother shew'd me it as she lay in her lap, but I cannot say I saw any thing the matter with it; I did not examine it so strictly as I did the other child; the mother told me the affair, but I never touch'd the child. I did examine the other two, and they were both found, no man ever had to do with them; but as for this I will not take upon me to swear, because I did not examine it.

Acquitted.

(*L.*) He was a third time indicted for the like offence, on the body of Hannah Hart, spinster, an infant, under seven years of age. †

Mary Hart. I am sister to the child; my mother is not here. The child came home from Mrs. Davis's school about four months ago, and went to the pot, and cry'd out sadly. My mother asked her what was the matter. She answered, Aaron push'd her with a broomstick. The child went to that school afterwards for upwards of a week or a fortnight, but was not very well, and broke out upon her face.

Q. Where is your mother?

M. Hart. She was here, but is gone I know not where. It is not a young woman's place to take notice what is the matter: I know nothing of it; I thought she was gall'd, and put a piece of fullers earth to her.

Acquitted.

29. (*L.*) *Hannah*, wife of *James Shute*, was indicted for stealing one pair of stocking breeches, value 4s. one muslin neckcloth, value 2s. one shift, value 3s. and two aprons, value 3s. the property of *Samuel Tate*; one handkerchief, value 1s. one other handkerchief, value 1s. and one lawn apron, the property of *Ann Campbell*, Nov. 17. †

Samuel Tate. I live at the Two Brewers, the cor-

ner of *Golden Lane*. I lost a pair of stocking breeches, a shift, a neckcloth, and two long lawn aprons. The prisoner was a lodger in my house. The goods were found at a pawnbroker's. The prisoner was taken up, and charged with taking them before the sitting alderman, and she own'd it. The other things mentioned in the indictment belong to *Ann Campbell*, who is my servant.

Ann Campbell. I lost two handkerchiefs and an apron three weeks ago last Saturday, and I found them again at the pawnbroker's.

William Warren. The prisoner at the bar brought a pair of stocking breeches, a muslin handkerchief, a shift, two lawn aprons, a linen handkerchief, and a silk one, and pawn'd them with me. These people came and owned them.

Prisoner's Defence.

You say your door was always locked, when at the same time your wife was up in my room, treating my husband with a pot of beer, and your door was open; the things lay upon a chest; and I went in and took them. Pray don't be so hard against me; I own myself in a fault, and it is the first I ever did.

For the Prisoner.

Mrs. Hooker. I have known the prisoner thirteen or fourteen years, and keep a publick house. The prisoner frequently wash'd and scower'd for me, and she never wrong'd me of any thing; I never heard any thing bad of her before now.

Mary Davis. I have known her sixteen years; two days before she did this crime she wash'd for me, and has for fifteen or sixteen years; I never in my life heard but what she was honest, and I would take her home to wash for me now, was she out. I believe she is as much guilty of it as we are, and I am afraid she has fallen into bad hands. I believe her as honest as myself, and I believe myself as honest as any body. If I had known she had been here, I would have brought better people to her character than there are.

Warren the pawnbroker. I have known her above twelve years, and never heard any harm of her.

Ann Burnet. I have known her these twelve years. I keep a house, and have an undeniable character. The prisoner has wash'd and carried out things for me, and she always behaved handsomely. I never heard a bad action of her. Guilty.

30. (*M.*) *Thomas Donaldson* was indicted for that he, on the 27th of October, about the hour of two in the night of the same day, the dwelling-house of *Joseph Wright* did break and enter, one hat, value 10s. one peruke, value 10s. one pair

pair of worsted stockings, value 2s. and one pair of silk stockings, value 2s. in the said dwelling-house did steal, &c. ¶

Joseph Wright. I live in Brick-Lane, Spital-fields.

Q. What business do you follow?

Wright. I am in the coal way. On the 27th of October last my house was broke open.

Q. At what time did you first know of it?

Wright. The girl told me that a light was taken out of the window, about 6 in the morning. I went and saw the light lying on the coals. This was a window to the back kitchen belonging to my dwelling-house, even with the ground. When the light was taken out, there was room enough for the biggest man in this court to get in. I missed a hat, a peruke, and two pair of stockings, from out of another kitchen, which that kitchen goes into. I had wore my hat and wig the day before; this was on a Sunday. I had a suspicion of the prisoner, and took him on the Tuesday following; he had work'd for me about 8 or 9 days, and lodged some nights in that time at my house. I took him at the Castle alehouse in Field-Lane, and charged a constable with him, he having ran away with some coals sack and all. I asked him how he could serve me so; this was at my first going in. He made little or no answer, but said he should be glad if I would not be angry, and he'd be three halfpence with me. I said I was going 2 or 3 doors farther, and would be back again by the time he had got the beer drawn and a toast put in it. I went and got an officer, and when I returned, I was told the prisoner was gone to the necessary house, where I found him fumbling about his pockets. I gave the constable charge of him, on suspicion of breaking my house and robbing me; he quiver'd like an aspen leaf; we took him before justice Fielding, and the next day I had an account of my wig being found at the Castle, behind a water tub, just by the necessary house; it was delivered to me by the maid servant; the prisoner told me he had pawned the hat and stockings for want, at a pawnbroker's by St. Giles's. When I went to him in the prison, he owned he was the person that broke open the house, and took the things, between 2 and 3 in the morning.

Cross Examination.

Q. What day was it that you went to him to New-Prison, and he made this confession?

Wright. That was on Wednesday the 30th. I had him next day before Mr. Fielding again. (the peruke produced in court and deposited to.)

John Gallantly. I only come here to prove I

made the wig for the prosecutor.

Q. to prosecutor. Where is the girl that found the wig at the Castle?

Prosecutor. They have taken care to get her out of the way, but here is a man that saw the prisoner with it on.

Nicholas Mills. I went in at the Castle that Tuesday morning, and saw the prisoner at the bar with 2 or 3 women drinking in a box; he had a wig on, the colour of this, and when the prosecutor came and took him, he had a cap on.

Q. to prosecutor. Did you ever make any overtures to the prisoner, in order to make this matter up?

Wright. No, but his father did to me; he asked me what I would take for the hat and wig.

Q. Whether you did not tell the father, that if he would give you 4 or 5 guineas you would drop all prosecution.

Wright. No, that I did not; the father proposed it to me, and I said I would not, nor could not, without offending the law.

Prisoner's Defence.

My prosecutor came to me in New-prison on the Thursday night; we went into the alehouse, and drank together; he gave me part of two or three pots of beer, and asked me about the robbery; he knew I could neither read nor write, and every word I spoke he wrote down, and would not let any body look over his shoulder; if you enquire into his character in Spital-fields, they will tell you what sort of a person he is.

For the Prisoner.

Thomas Donaldson. I am father to the prisoner. Mr. Wright offered to me to make this up for 5l. if I would give it him; I said, my child has rob'd you of nothing, then he proposed to meet me again; then he went and got into Long Charles's gang (a company of thief takers) and went to New-prison and hook'd my child in.

Mrs. Bantler. I have known the prisoner 18 or 19 years, he is a very honest lad as far as I know; he work'd in the coal way, my husband is a coal-heaver.

Mrs. Salisbury. I have known the prisoner from his birth, and never knew him to wrong man, woman, or child in my life.

John Emmerton. I have known him about 7 years; he is a very honest lad.

Q. What are you?

Emmerton. I keep a fish stall in the Fleet-market.

William Stott. I am a picture frame maker, and live

live in Sea coal-lane; I have known the prisoner ever since he was born.

Q. What is his general character?

Storr. He has a very honest character.

Mrs. Parsons. I have known him 10 years, he is a very honest industrious lad; I would trust him with all I am worth, if I had a thousand pounds.

Q. What are you?

Parsons. I am a market-woman.

Acquitted.

31. (L.) **John Crowther** was indicted for stealing a saw, value 2s. 6d. the property of Joseph Scott, November 27. †

Joseph Scott. I am a carpenter, and was at work at a warehouse in Pudding-lane. I happened to step out for about 2 or 3 minutes to my house, which is within sight of the place, and as I was coming out of my own door, I saw the prisoner come out of the place where I work'd; he ran away upon seeing me pursue him, and clasp'd the saw down by a door-way. I ran and took hold of him, and brought him back, and my saw was found about a hundred yards from the place whence he took it.

Elizabeth How. I saw the prisoner at the bar, (when Mr. Scott was pursuing him) let the saw down at a door in Pudding-lane, opposite where I live (produced in court and deposited to.)

Charles Mortley. The prisoner was brought down to my house, I am a constable. I carried him before the sitting alderman, where he seem'd to confess at last; he was willing to go for a soldier, but they would not accept of him, he being too old.

Prisoner's Defence.

I had been from Clerkenwell to the Borough, and as I was coming back again, a gentleman said I have got an old packing case, if you will make it a little less I will pay you for your labour; I said, I had no tools about me; he said if I had a saw, he could help me to a hammer. I went to this place, (what Mr. Scott says is true) but there was nobody there, or I would have asked them to have lent me one. I tell the truth, I took the saw in my hand with intent to do the job and then return it, not with intent to keep it the least in the world; I should not have been gone half an hour with it.

Guilty, 10d.

32. (L.) **Dennis Macquire** was indicted for that he, together with Mary Gwyn, did steal five gallons of cows milk, value 5s. the property of Robert Whetam. † Acquitted.

33. **Samuel Terry** was indicted for stealing eight 36s. pieces, 258 guineas, and one half guinea, the money of Thomas Selwyn, Esq; one moidore, three guineas, and one shilling, the money of Thomas Selwyn, Esq; and John Sherrard, November 28.

To which he pleaded guilty.

34. (M.) **Mary**, wife of John Henchley, was indicted for stealing 9s. in money numbered, the money of Patrick Kelly, Nov. 1. †

Mary Kelly. My husband's name is Patrick Kelly. The prisoner and I were partners together, in buying and selling cloaths. I was with child, and not able to go about the streets on my business, so I nuried a woman in the house where the prisoner and I lived. When I dropped partnership with the prisoner I had six shillings of my own, and at the christening I had three shillings given me, which nine shillings I had laid upon a chest of drawers in the room where the woman lay in.

Q. Was it put into any thing?

M. Kelly. No, it lay loose upon the drawer; I put it there in the afternoon, and I missed it in the evening.

Q. Where was you when it was taken away?

M. Kelly. I was up and down stairs, nursing the woman; it is a publick-house, and there was no servant to attend business but myself.

Q. Had the prisoner been in that room the day you lost it, can you tell?

M. Kelly. She had been there backwards and forwards all day.

Q. When you missed your money, what did you do?

M. Kelly. I felt a crying. I was not able to pursue her, for I was delivered in three days after; I was obliged to go into the Lying-in-Hospital. After I got up I went to the prisoner, and asked her to give me some relief, and help me to some of my money. She said, call upon me next week, and I will give you six-pence or a shilling. I called, but she would not give me a farthing.

Q. Did she acknowledge she had taken your nine shillings?

M. Kelly. Yes; there are witnesses enough of that.

Q. Are they here?

M. Kelly. No, they are not.

Q. What did the lady she had done with it?

M. Kelly. She said she had drank seven shillings of it the very same night that she took it away. I took her before justice Welch, before whom she acknowledged that she took it away.

Prisoner's

Prisoner's Defence.

My husband is on board one of his majesty's ships, serving his country. I hope you will take compassion on me, and give me till to-morrow to produce my witnesses. She and I were partners. I gave her eleven pence a day when I earned twenty-two pence, at the time she was not a nurse keeping. She said she would never come against me, and I gave her a crown in her hand in the Round-house, besides a leg of mutton. Acquitted.

35. 36. (L.) **MARY EDWARDS**, otherwise **Sally Mac Duel**, and **Elizabeth Brown**, were indicted for a conspiracy, in attempting to charge Thomas Wintle with the crime of adultery, with an intent to get unlawfully a large sum of money into their hands, Sept. 10. ||

Thomas Wintle. I live in the Poultry.

Q. What is your business?

Wintle. I am a goldsmith.

Q. Are you a married man?

Wintle. I am; I have been married these four years.

Q. Do you live with your wife?

Wintle. I do.

Q. Do you know either of the prisoners at the bar?

Wintle. I never saw either of them till they brought the letters to my shop.

Q. Who brought them?

Wintle. Edwards brought the first?

Q. When?

Wintle. On the 10th of September last, in the evening, about nine o'clock, but I did not see her face, for she had got a bonnet over her face. She has since acknowledged that she was the person who gave me the letter.

Q. In what manner did she come?

Wintle. She rang at the door, to which I went, and she gave me the letter. I said, who is this for? She said, if you open it, you will know, clapped it in my hand, and ran away.

Q. What direction was on the letter?

Wintle. There was none at all; this is it. [He delivers in a letter.]

It is read to this purport:

"Sir, I should be glad to see you at Mrs. Sherron's, a chandler's shop, in Little Newport Street, the corner of a court, near Cranbourn Alley, up one pair of stairs, at Mrs. Brown's."

"Your's, Mary Edwards."

[On one side was wrote *Sally Mac Duel*.]

Wintle. That on the side the constable wrote. After she was taken up, she acknowledged her

name was Sally Mac Duel, so he put it on the same letter.

Q. Did you go in consequence of this letter?

Wintle. No; I took no notice of it, but shew'd it to several gentlemen who came to my shop. I thought it came from some common prostitute.

Q. Did you receive any other letter?

Wintle. I did, on the 18th of September.

Q. Who brought that?

Wintle. Brown, otherwise Everitt, brought it; she came into my shop between eight and nine in the evening, and pulled two tea-spoons out of her pocket, saying, do you buy old spoons; I said yes, and went to weigh them. She said you need not weigh them, for I have got some other business with you, and gave me this letter (*producing one*.)

The letter read to this purport:

"Sir, I hope you remember the time you met me in Morefields, the time of the prince's of Orange's death; that I proved with child, and went into the country to my friends, till I could hide my condition no longer; and as I draw near my time, I hope you will assist me, and I shall for ever be bound to pray for you; if you please, come to Mrs. Sherron's, a chandler's-shop, in Little-Newport-street, the corner of a court, near Cranbourn Alley, up one pair of stairs, at Mrs. Brown's."

I read it, and said, what do you mean by bringing me such a letter as this; she said, give yourself no such airs, for there is the girl at the door, that you got with child; upon that I called my wife down stairs, and then said to the prisoner Brown, does this letter belong to you, I know nothing of it; then she said it is Mrs. Edwards's, and called her in; I said to my wife, here is a girl come to accuse me of getting her with child, whom I never saw in my life. Then I sent my girl for a constable.

Q. What did Edwards say when she came in?

Wintle. She said I was the person that got her with child. The constable came, and I asked him what I must do; he said, take them before my Lord-mayor, but we found he was not in the way; then I told the constable, if he would put them in the compter I'd bear him harmless. The constable asked her her name; she said she was with child by me, and her name was Mac Duel; then he clap'd that down in the letter. Brown said she could get bail. In going to the watch-house a fellow jostled against the constable, and Edwards made her escape. As soon as I had called my wife, Brown said, take notice how long you detain us. Upon this I imagined she pretended to bring an action.

The

The other said to the constable, what do you detain me for, I fancy I can find the other at the door. They went, and found the other that had gotten away, opposite the door, on the other side of the way, at the corner of the Old Jury; then he brought them both to the shop, when Brown said she was not concerned, only in bringing the letter. When we were going to the watch-house, a man jostled the constable and Edwards got away a second time, but we kept the other. About two o'clock came in one Higgins, a lawyer's clerk, who gave bail for Brown's coming in the morning; she was to bring the other with her, but came without her, and said Edwards was waiting at an alehouse in Fleet-street, so the constable went and found her there; then they were both brought to my shop, and we went before the present Lord-mayor, who committed them both to the compter, and bound me over to prosecute them.

Q. Did Edwards say when she was got with child?

Wintle. She said, that at the time of the prince of Orange's death I met her in Morefields, in the month of February, took her to a tavern, between eight and nine o'clock, was with her an hour and a half, treated her, was concerned with her twice, and gave her four shillings, and that I would have treated her with a coach home; that then she lived with a relation in Chiswell street, and refused the coach, but watched me home, to know where I lived. My Lord-mayor said, it was very odd, if that was true, you should never call upon the gentleman till now, what did you do with yourself before this time. She said that six weeks before she lived in Leicester street, after that in Kensington, but had been removed into Parliament-street. His lordship asked her where she lived before that, but she made no answer to that. Then the other prisoner Brown was called, and asked how she came to bring such a letter to me; she said she knew the girl two or three years ago, by drawing beer at an alehouse, upon which she brought the letter for her, and that she had helped her to wash for three weeks.

Q. Whether or no the charge that this letter imports is any part of it true?

Wintle. No, it is not, not a word of it; I never saw either of the parties in my life, till they came to my shop, as I have mentioned.

Q. Did she mention the tavern or sign where she said you were together?

Wintle. No, she said she did not know the tavern nor the sign.

Q. Was you ever in Morefields with her?

Wintle. I never was in Morefields at such time as she speaks of in my life; nor never was in company with her in my life; I never saw either of them before.

Q. Is this whole accusation, contained in the letter, true or false?

Wintle. It is every part of it false; I never knew either of them in my life.

As nothing could be charged upon Brown, otherwise Everitt, but carrying a letter, and the fixing it upon the other, were she ever so guilty, would not be sufficient to prove this indictment, for no person can be said to conspire alone, they were both acquitted.

37. (L.) Thomas Page was indicted for obtaining goods by false pretences, with intent to defraud Joseph Gayland and Robert Barber, to the value of 34l. 19s. June 14. †

Edward Duke's. I live servant with Mess. Gayland and Barber, in 7 James-Street.

Q. What are they?

Dukes. They are wholesale grocers; the prisoner at the bar came to our shop on the 14th of June last, inquired for Mr. Barber, and asked how he did. I told him Mr. Barber was in the country. He said he wanted a hoghead of sugar, and accordingly I told him one. Then I said, you are a stranger to me, therefore my masters will expect the money for it, please to walk into the computing-house, and leave me a direction where you live; he left me a direction, and told me if I came with the sugar in a cart, he should be at home about four o'clock in the afternoon, and would give me the money; accordingly I went, but when I came there he was not at home.

Q. Where was his house?

Dukes. It was in East-Smithfield.

Q. Who did you find at his house?

Dukes. His wife; I asked her what time she expected him home; she said she could not tell, but she expected him home soon. We put the hoghead of sugar into the shop, and I waited there upwards of an hour; I came away, and the next morning I went again, but saw nothing of the prisoner; on the Monday following he sent me a letter (producing one.)

Q. Do you know it to be his hand-writing?

Dukes. No, I do not.

Court. Then it cannot be read.

Q. Did the prisoner say he was acquainted with Mr. Barber?

Dukes. He told me he knew Mr. Barber very well.

Q. Would you have let him have had the sugar,

if you had not heard him say he was acquainted with Mr Barber ?

Dukes. I do not believe I should.

Q. Was the sugar ever paid for ?

Dukes. No.

Cross Examination.

Q. What time of the day was it that he came ?

Dukes. It was about ten or eleven o'clock in the forenoon.

Q. You say he said he knew Mr. Barber, did you ask him who he was ?

Dukes. Yes.

Q. Did he tell you ?

Dukes. Yes.

Q. Did he write his name in your computing-house ?

Dukes. Yes.

Q. Did he give a right direction, for the sugar to be sent by the carman ?

Dukes. Yes, and he said he would pay me.

Q. Did you go to the prisoner on the Monday after ?

Dukes. I went to his house.

Q. Did you find him in his shop ?

Dukes. No.

Q. When did you see him ?

Dukes. I saw him on the Wednesday following.

Q. Where ?

Dukes. He was in his shop then.

Q. What passed at that time ?

Dukes. I asked him for the money, and he told me he should call upon Mr. Barber and Mr. Gayland.

Q. Did he not at that time offer you some money ?

Dukes. No, he did not.

Q. Did he not offer to pay you fifteen or sixteen guineas, in part of that debt ?

Dukes. No, he did not.

Q. Did not he at any other time ?

Dukes. No, I asked his wife for part of the money, if he could not give me the whole, and said if he did not like the sugar, I would take it back again, and he should be at no expence for the cartage.

Q. What answer did she make ?

Dukes. She told she could say nothing to it.

Q. Was there never an offer made you to pay you in part ?

Dukes. No, never ; I asked him and his wife to pay me.

Q. What day was that ?

Dukes. That was on the Wednesday.

Q. What answer did he give you ?

Dukes. He said he had not quite money enough, but he was going out, and should get a little more ; that I should have some the next day, and he would call and pay my master.

Q. Did you ask for the whole, or part then ?

Dukes. I asked for the whole thirty-four pounds and upwards.

Q. If he had offered you any in part, should you have taken it ?

Dukes. I should.

Q. If he had offered you five pounds, would you have taken it ?

Dukes. I should ; I would not have refused to have taken any part of the money.

Mr. Barber. I never saw the prisoner before I saw him at the bar, to my knowledge.

Q. Have these goods ever been paid for ?

Barber. No.

Cross Examination.

Q. Do you know Mr. Macmurdown, at the corner of Ludgate Street ?

Barber. Yes, I do.

Q. How long have you known him ?

Barber. I have known him some years.

Q. Have not you dealt with him ?

Barber. I have.

Q. Have you often been at his house ?

Barber. I have.

For the Prisoner.

Mr. Macmurdown. I have known the prisoner at the bar some years.

Q. Where do you live ?

Macmurdown. I live in St. Paul's Church Yard.

Q. What is your business ?

Macmurdown. I am a grocer.

Q. Where did the prisoner live ?

Macmurdown. He kept a grocer's shop in East-Smithfield.

Q. Was he not once your servant ?

Macmurdown. He was, in part of the years 1752 and 1753.

Q. During that time was you acquainted with Mr. Barber ?

Macmurdown. I was ; I had at that time pretty large dealings with him.

Q. Did the prisoner at the bar use to go down to Mr. Barber's on any business for your account in that time ?

Macmurdown. He might for what I know.

Q. Have you had any dealings with the prisoner at the bar since he has lived in East-Smithfield ?

Macmurdown.

Macmurdow. I have served him with some goods, such as teas and such things, and he always paid for them as I sent them.

Cross Examination.

Q. If a person comes to your servant, and promises to pay him for goods, and gets them, and does not pay for them, what do you think of that?

Macmurdow. I should think my servant should take care and have the money before he delivers the goods.

Q. If a man gains credit with your servant at your shop, by pretending to be acquainted with you, and your servant delivers him goods upon promise of payment of ready money, and he does not pay at all, do you think that an honest man?

Macmurdow. I should think my servant must be really persuaded that he is an acquaintance of mine before he would deliver them.

Council. That is not an answer.

Macmurdow. A man may be a rogue in pretending to do it, but I should think my servant a very great fool to deliver goods upon such a contract, without taking the money.

Q. Did you ever authorise the prisoner at the bar to make use of your name, in getting any credit from any of your customers where you have dealt, to get goods?

Macmurdow. No; I do not know that ever I gave him the use of my name for any thing.

Q. Suppose a man should buy goods, and not keep his payments, should you think that an honest man?

Macmurdow. There is many an honest man that cannot make good his payments at all times.

Sarah Osborn. I was servant to Mr. Page in June last.

Q. Where did he live then?

S. Osborn. In East Smithfield.

Q. Did he keep a publick shop?

S. Osborn. He did.

Q. Do you remember Mr. Dukes's coming there in June?

S. Osborn. I do.

Q. What day?

S. Osborn. It was on the 18th of June.

Q. What did he come for?

S. Osborn. He came to my master the prisoner, for money for a hoghead of sugar.

Q. How do you know it was the 18th?

S. Osborn. That very morning I had been at the King's Bench, for a rule for my master.

Q. How do you know it was a rule?

S. Osborn. Because I had never seen such a thing

before, I opened and look'd into it.

Q. What do you mean by a rule?

S. Osborn. A rule of court I believe.

Q. Was your master in prison then?

S. Osborn. No, he was not.

Q. What sort of a thing was that rule?

S. Osborn. It was a piece of paper.

Q. How came you to call it a rule?

S. Osborn. I think they call it a rule, and I remember it was on the 18th of June.

Q. What day of the week was it?

S. Osborn. It was on a Monday, and after I came from bringing the rule my master had a friend drinking a pot of beer with him, when this Mr. Dukes came in, and my master asked him if he would drink.

Q. Was your master confined at home then?

S. Osborn. No, he was not.

Q. How came you to go for a rule?

S. Osborn. I do not know any farther.

Q. Who sent you for the rule?

S. Osborn. My master did.

Council for the prisoner. I own by this he must have been a prisoner. I find upon the return of the habeas it appears he was committed by Sir Michael Forster to the King's Bench on the 16th of June.

Q. What did Mr. Dukes say when your master asked him to drink?

S. Osborn. He said, he did not care if he did.

Q. What was it you heard pass between your master and Mr. Dukes about paying any money?

S. Osborn. He asked my master for money for a hoghead of sugar; my master reply'd, he could not pay him then, by reason he had just paid the king his duty.

Q. Duty upon what?

S. Osborn. Upon soap; my master made soap. He said if he would take what he had in part, which was about 15 or 16 guineas, he would give it him, and would in a few days pay him the rest.

Cross Examination.

Q. Did you see any money produced?

S. Osborn. No.

Q. to Mr. Dukes. Did you deliver this bill of parcels at the time you delivered the goods? (producing one.)

Dukes (taking it in his hand.) Yes, I did.

It is read to this purpose.

" LONDON, June 14, 1759.

" Mr. Thomas Page bought of Gayland and Barber Jamaica sugar a cask, quantity 1512 lb.

" weight ————— 344 19s. 1d.

" Deducted 114 lb for tare."

" Guilty.

38. (L) *William Tipton*, victualler, was indicted for the wilful murder of *William Walker*; for that he, not having the fear of God before his eyes, but being moved by the instigation of the devil, on the 15th of August, in a certain chamber, called the Club-room, belonging to the alehouse of the said *William Tipton*, called the Fox and Bird-cage, feloniously, willfully, and of malice aforethought, did make an assault, and he, with both his hands, did take the said *William Walker*, and cast and threw him out of the window into the street, upon the pavement of stones, by which means he received a mortal bruise on the fore part of his head, by which bruise he languished from the 15th of August to the 22d. of October, on which said day he did die, in London. ||

Mr. Potts. I am surgeon to St. Bartholomew's hospital; the deceased *William Walker* was brought in there on the 15th of August last. I saw him in about an hour after he was brought in, and found him quite senseless, with a very considerable bruise on the fore part of his head; from the appearances and from the symptoms, I had great reason to conclude his skull was broke, and on removing the scalp I found it so, in two places.

Q. What part of the skull was it?

Potts. They were both in the fore part of the head, and no doubt both produced by the same blow; the two places were little more than a finger's breadth distance. I trapan'd him immediately.

Q. What is that? It is necessary the jury should know.

Potts. That is making a hole in the skull, and taking a piece out.

Q. When did he die?

Potts. About the middle of October.

Q. What did he die of?

Potts. Of that fractured skull.

Q. Are you certain of that?

Potts. I have not the smallest doubt concerning it.

Q. Could you make any judgment whether he was fuddled at the time that he received the fracture?

Potts. It is not possible in those cases to distinguish that, for the symptoms produced by the pressure of this bone, so totally deprive a man of any kind of voluntary action, that it is impossible to know whether he was fuddled or not.

Q. Did you ever hear him make any declaration?

Potts. No; when I first saw him he was incapable of speech, and after that he became capable

in a very particular manner, but I never heard him speak sensibly at all during the whole time; I only speak for myself.

Q. How often did you see him?

Potts. I certainly saw him every other day, and sometimes every day.

Q. For how long did you see him every day?

Potts. Perhaps for the first fortnight.

Q. During that time did you never find him in his senses?

Potts. During that time I did not perceive he was; they appeared to me to be clearly lost.

Q. Did any body attend him besides you?

Potts. My young man saw him every day; if he had been sensible he would have asked him some question or other, which he never did.

Cross Examination.

Q. How long after he was brought in might it be before you saw him?

Potts. I believe I might see him within the hour.

Q. From the nature of the fractures and trapanning, whether you think he could be in his senses or not, so as to know what he said?

Potts. That is impossible for me or any body to answer. I could run over a great many hard words, but I cannot answer that: Sometimes very bad fractures do not deprive people of their senses, and sometimes very trifling affairs of fractures render them totally deprived of their senses.

James Gordon. I am an apprentice to Mr. Potts. I saw the deceased within the space of time I could go from our house to the hospital, which was within half an hour after he was brought in.

Q. Was he sensible at that time?

Gordon. No, he was not.

Q. How often did you attend him?

Gordon. I attended him every day, once or twice a day; the first week or ten days he was there; I was with him twice a day, and the remainder of the time every day.

Q. Did you attend him all the time to his death?

Gordon. I did.

Q. Did you ever see him in his senses?

Gordon. I never did.

Note, *The Last Part of these Proceedings will be published in a few Days.*

T H E

**THE
PROCEEDINGS**

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On Wednesday the 5th, Thursday the 6th, and Friday the 7th, of DECEMBER,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER I. PART III. for the YEAR 1760.

Being the First SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

**Printed, and sold by G. KEARSLY (Successor to the late Mr. Robinson) at the
Golden-Lion, in Ludgate-Street, 1759,**

[Price Four-pence.]

THE PROCEEDINGS ON THE

King's Commissions of the Peace, and Oyer and Terminer, for the City of
LONDON, and at the General Sessions of Gaol Delivery of *Newgate*,
holden for the said City of LONDON, and County of MIDDLESEX,
at *Justice-Hall* in the *Old-Bailey*, &c.

Q. COULD you form any judgement when he came into the hospital whether he was in liquor, or whether his insensibility proceeded from the blow?

Gordon. There is no forming any judgement of that.

Q. Did you ever hear any questions asked him?

Gordon. The people about him have asked him who threw him out of the window, but I did not give any attention to it, thinking him not in his senses.

Q. Who has asked him any questions when you have been there?

Gordon. I have been there when the sister of the ward has asked him who threw him out, and he has mentioned the word *Tipton*, only the word *Tipton*.

Q. How often have you heard that question asked?

Gordon. I cannot pretend to say how often; I have heard it asked.

Q. Did you ever hear him use any continued discourse at any time?

Gordon. Never. I have heard them ask him whether he would take any food; he has said, yes or no, and to the other question he has said *Tipton*; yet at no time I thought him sensible.

Q. When he answered *Tipton*, did not you apprehend he was in his senses?

Gordon. No.

Q. Why?

Gordon. Because he did not appear to be so.

Q. How was he in other particulars?

Gordon. I never asked him any questions.

Gordon. Because I did not think him capable of giving any sensible answers.

Q. Did you take him not to be in his senses all the time?

Gordon. I did.

Susannah Clark. I know the prisoner at the bar; he lived in Arthur Street, Goswell Street, at the Fox and Bird Cage.

Q. Where do you live?

S. Clark. I lived at Mr. Manning's, a baker, in Arthur Street.

Q. How near is that to the prisoner's house?

S. Clark. That is about eight or nine yards from it, facing it, a little on one side.

Q. Did you know the deceased?

S. Clark. I did, by sight.

Q. When did you see him last?

S. Clark. On the 15th of August last I saw him sitting in the window of the prisoner's house.

Q. Had you seen him before that day?

S. Clark. No; this was about four or five o'clock in the afternoon.

Q. What window was it?

S. Clark. It was the middle window up one pair of stairs.

Q. What sort of a window?

S. Clark. A sash window.

Q. Was the sash up or down?

S. Clark. The sash was up.

Q. Is there a road along that street?

S. Clark. It is a road way, a paved street of rough stones.

Q. How did he sit in the window?

S. Clark. He was sitting upon the window seat, leaning with his elbow. [She described it as leaning his elbow on the bottom of the window, higher than the seat he sat upon.]

Q. How long had you seen him sitting so before the accident happened?

S. Clark.

S. Clark. About five minutes before.

Q. Did you see him afterwards?

S. Clark. I saw him lying on the ground.

Q. Did you see him sit down in the window at first?

S. Clark. No, I did not; but I saw him sitting there.

Q. Did you see him all the time?

S. Clark. No, only about five or six minutes; after I had seen him sitting I heard the fall.

Q. Did you see any body in the room?

S. Clark. I only saw Mr. Blower in the room besides.

Q. How wide is the street?

S. Clark. It may be twelve or thirteen yards wide.

Q. Was you near enough to hear what was said?

S. Clark. I heard some high words, but I do not know who they were between; I did not take notice of them.

Q. Can you tell whether they were between the deceased Walker and any body else?

S. Clark. I cannot tell.

Q. How many voices did you hear in the room?

S. Clark. I cannot tell.

Q. Could you observe at that time whether Walker was sober or fuddled?

S. Clark. That I cannot tell, for I did not give ear at all to what they were talking of; they were talking aloud, but I did not think what would happen.

Q. What was you about at the time?

S. Clark. I was sitting at work with my needle at the window in my room, and heard a talking very loud; they were at a play, which I believe they call rolipoly, that was said afterwards; I did not see them at it, but I heard them. When I heard something fall, I ran down stairs directly, and there saw Walker lying in the street. I looked up directly, and said to Mr. Tipton, how could you fling a man so out at the window?

Q. Where was Tipton?

S. Clark. He was then looking out at window.

Q. Did you see Walker lying upon the ground when you was looking from your own window?

S. Clark. I did.

Q. Did you see Tipton at the window then?

S. Clark. No, I did not; but when I came down he stood looking out at the window.

Q. What did Tipton say when you spoke to him?

S. Clark. He d——d me for a bitch, and said he did not come out at the window.

Q. Did he say where he came from?

S. Clark. He said he was coming from Mr. Strong's along the penthouse, and fell down.

Q. Where does Mr. Strong live?

S. Clark. His house is next to Tipton's; there is a penthouse under that window all along, which joins both houses; it is shelving, but people may walk along it, if they take care.

Q. Did you ever see Walker on that penthouse?

S. Clark. No.

Q. What passed next?

S. Clark. I saw Tipton come down to his own tap-room, and fling up the window; he stood and swore, but I went away to my own room, my child crying, so heard nothing of what he said.

Q. Did you see Tipton in the room, while Walker was sitting at the window?

S. Clark. No.

Q. How then came you to ask him how he could do so, to throw the man out of the window?

S. Clark. Because he is a very dissolute man in swearing and cursing; I have seen him in passions several times, which gave me reason to think so; I had no other reason.

Q. Do you know whether any body saw him fall?

S. Clark. I can't tell whether any of the other witnesses did or not.

Ann Adams. I did live at Mr. Tipton's as a servant, just a week.

Q. Do you remember the deceased being at your house on the 15th of August?

A. Adams. I do.

Q. Did you see him come in that day?

A. Adams. Yes.

Q. When did he come in?

A. Adams. I cannot justly remember, he came in the morning first.

Q. Did he live near your master's house?

A. Adams. He did.

Q. How long did he stay there the first time?

A. Adams. I can't tell.

Q. Did he dine there?

A. Adams. No; he went away before dinner, and came again afterwards.

Q. What time did he come after dinner?

A. Adams. I can't justly tell.

Q. What became of him, when he came after dinner?

A. Adams. He was up in the club room.

Q. Who else was there?

A. Adams. Nobody but Mr. Blower and Mr. Tipton.

Q. How do you know they were all three there?

A. Adams. I carried them up a bowl of liquor, the last they had.

Q. How long was Walker in the room ?

A. Adams. I can't say.

Q. Was he there above an hour ?

A. Adams. He was.

Q. How many bowls had they ?

A. Adams. I don't know, I carried up no more than that.

Q. What were they doing when you went up ?

A. Adams. Mr. Blower was setting the pegs up, Mr. Tipton was standing in the middle of the room, and Mr. Walker sat in the middle window.

Q. What pegs ? explain that.

A. Adams. Rolipoly pegs.

Q. How was Walker sitting ?

A. Adams. In his shirt, and nothing on his head, with his hands doubled before him.

Q. On what did he sit ?

A. Adams. On the seat of the window, the edge of the window was above where he sat.

Q. How long was that before he fell ?

A. Adams. About ten minutes, as near as I can guess.

Q. How came he to be in his shirt ?

A. Adams. He came in his shirt, with his sleeves tucked'd up, and nothing on his head.

Q. Do you know whether he was at play with them ?

A. Adams. There was never a one at play when I carried up that bowl.

Q. Did you stay there any time ?

A. Adams. I came down directly.

Q. Were they quiet and peaceable at that time ?

A. Adams. There was never a word said, I heard not a word.

Q. Where was you at the time Walker fell ?

A. Adams. I was backwards washing, I did not see him fall.

Q. Was Walker fuddled ?

A. Adams. I cannot tell whether he was or not ?

Q. What liquor had they ?

A. Adams. I cannot tell whether it was brandy and water, or rum and water.

Q. How much did you carry up ?

A. Adams. The bowl held a shilling-worth.

Q. What was the first alarm you heard ?

A. Adams. Mrs. Tipton came out of the bar, and cried and said, the young fellow was either thrown out of the window, or fell out of it.

Q. What did you do upon this ?

A. Adams. Mr. Blower came down out of the room first, and Mr. Tipton followed him ; Mr. Blower

wanted to go, and Mr. Tipton said he should not go, for if one went to gaol the other should.

Q. How long was this after your mistress gave the alarm ?

A. Adams. This was about 5 minutes after.

Q. Mention Tipton's words, the same he made use of.

A. Adams. Tipton said, d——n him he should not go, for if one went to gaol the other should.

Q. What did Blower say to that ?

A. Adams. Never a word.

Q. What was done after this ?

A. Adams. They cried out for some water at the door, and I was going to carry some. Mr. Tipton said I should not carry him any, let him lie and be d——d.

Q. What was done after this ?

A. Adams. I never saw the deceased afterwards, till they brought him in a shell to Mr. Andrews's house.

Q. Had he been playing at rolipoly in the morning ?

A. Adams. I cannot say whether he had or not.

Q. How much liquor had they drank ?

A. Adams. I cannot tell.

Hannab Parliament. I live in Green-harbour-court.

Q. How near is that to the house of the prisoner at the bar ?

H. Parliament. It is within a very little way ?

Q. What do you know concerning this matter ?

H. Parliament. I have heard Mr. Tipton divers times threaten to fling the young fellow out of the window.

Q. Did you hear him threaten it the day that this thing happened ?

H. Parliament. No.

Q. When was it ?

H. Parliament. I cannot say the day of the month, nor the month, but I have heard him threaten it several times.

Q. What were his words ?

H. Parliament. I have heard him say, when words have arose, he would throw him out at the window, be it what it will.

Q. How long before this accident ?

H. Parliament. Near two months before. I saw him once take him up in his arms to throw him out, and laid hold of him, that he should not.

Q. How long was this before the accident ?

H. Parliament. This was I believe about a fortnight before; when there has been a squabble amongst other people, who were gaming, and they have had

had words amongst themselves, Mr. Tipton has taken it up.

Q. What room was this in?

H. Parliament. This was the one pair of stairs room; he offered to *burl* him out of the same window, that by all accounts he was thrown out at.

Q. Did he make any offer to throw him out?

H. Parliament. I saw him put his legs out at the window, swearing many bitter words that he would *burl* him out.

Q. How did he take him up?

H. Parliament. He took him up with one hand under his legs, his head lying on his left arm, and said *d——n your soul, I will burl you out of the window*, putting his legs out as far as his thighs.

Q. What size was the deceased?

H. Parliament. He was a little man, deformed in his legs, what they call bandy-leg'd, and a weakly man.

Q. Was you at the house the day this thing was done?

H. Parliament. No, I was not.

Henry Bucher. I know but very little of it; the day the thing happened, just after it was done, Tipton and Blower were going into a hackney-coach, to go before the justice.

Q. About what hour was this?

Bucher. About 3 or 4 o'clock. I knowing the deceased, said to Tipton as he was going to get in, how came you to throw the poor fellow out of the window? he said he did not know how he came to do it; that was all I heard him say.

Q. Mention it again, and be sure give the right answer he made?

Bucher. As he was going to get into the coach, he past by me; I said to him, Tipton, how came you to throw the poor fellow out at the window; he said, *I do not know how I came to do it*. I am sure he said these words, and in that manner.

Richard Alingham. I have been in that room several times, when several people have been there, with Tipton, the prisoner at the bar, and the deceased, and the prisoner has offered to *burl* him out of the window 5 or 6 times one after another, and once more than ordinary he caught him up in his arms, and was going to *burl* him out, but I laid hold of him and hindred him.

Q. What room was this in?

Alingham. In the same room; there is a rolipoly in it.

Q. Was Hannah Parliament there at that time?

Alingham. She was.

Q. How long was that before this thing happened?

Alingham. That was 5 or 6 weeks before.

Q. How did he take him up?

Alingham. He had taken him up with his arm under the deceased's head, and with the other hand held him under his hams, and his legs were a little way out of the window?

Q. to Hannah Parliament. Was you in the room at the time this witness speaks of?

H. Parliament. I was.

Q. Can you be particular as to what time it was?

H. Parliament. I cannot; I know Mr. Alingham was there at the time, he is my father, and laid hold of Tipton's arm at the time.

Cross Examination.

Q. to Alingham. Have you ever play'd there at rolipoly?

Alingham. I have with the deceased, several times.

Q. Had he threatened him before this?

Alingham. He had threatened him 5 or 6 weeks before this was done.

Q. Were not they perfect friends after that?

Alingham. The deceased came to the house every day, but they were not friends, for when ever he came Tipton was always quarrelling with him.

Q. What did he quarrel with him for?

Alingham. I do not know; Walker used to play at rolipoly, he was then at play, and I along with him.

Mary Setaburt. I was coming by the window along Arthur-Street under the prisoner's window, with my basket on my head; the deceased with his falling touched my basket; then I looked down, and saw him lying in his shirt, with his eyes fix'd in his head; the man of the alehouse looked out at the window, and said *d——n him, d——n him*, let him lie, three times.

Q. How did the deceased fall?

M. Setaburt. He fell with his head foremost, and his legs lay open.

Q. What did he fall upon?

M. Setaburt. I cannot tell whether he fell against the step or the ground, but I think he fell with his head foremost.

Q. Did you know the man of the house?

M. Setaburt. I knew him plain enough, when he was before justice Welch; he came down and looked thro' the hole of the window, to see how pretty he lay.

Q. How long did you stay there?

M. Setaburt. I ran and fetched the surgeon, and

and instead of bringing one I brought two.

Q. What became of the deceased?

M. Setaburt. They got him first into his master's house.

Elizabeth Gosling. I am a Nurse belonging to St. Bartholomew's hospital; the next day, when Mr. Potts ordered a double watch to be with the deceased, I was one, and on the 24th of August, his master Mr. Andrews came in the morning and said to him, do you know me, *Will*; he said, *yes*; then, said he, tell me how the affair happened, and inquired of him whether he jump'd out at the window, or whether he fell out, or how it was; he said, *he flung me out*; his master said, what he, and he replied, *Tipton*. Then his master asked him who was in the room besides Tipton and he, and he said *Blower*; then he asked him if Blower touch'd him, and he said, *No*; he asked him how he flung him out, and he said *he took me up in his arms and flung me out so*, putting his arms out. [She describes with her hands how he described it to her.]

Q. Did you hear any declarations at any other time?

E. Gosling. Once at another time I heard him say something of it. I asked him one day, and said, *Will*, will you tell me how this affair happened? He seemed to be very solitary, and told me he would not tell me.

Q. How long was it before he died?

E. Gosling. I believe it was three weeks or a month before he died: I was with him eight weeks before he died.

Q. What were his words?

E. Gosling. He said, *no*. I said, why will you not tell me? He said, *it was of consequence, and of great consequence*. I said, will you sooner suffer, and lose your own life, than tell who did it? He answered, *yes, he would*, and said no more.

Q. Did you hear him say any thing any other time?

E. Gosling. No.

Q. Did you look upon him at any time to be sensible?

E. Gosling. He was sometimes in his senses, and sometimes not; oftentimes he would give a rational answer.

Q. Did he speak intelligibly?

E. Gosling. He spoke very intelligibly at the time his master asked him those questions. I can't swear he was ever a very sensible man in his life time, but he gave rational answers.

Q. Did you take him to know what he talked of?

E. Gosling. I did.

Q. When was the last time that you asked him that question?

E. Gosling. That was about three weeks before he died.

Q. Between the 24th of August to the beginning of October, had any body come to visit him?

E. Gosling. Nobody but his acquaintance to look at him.

Q. Would he ever converse with them?

E. Gosling. Sometimes he would speak to them, and sometimes not; he appeared upon a fulkish order. Sometimes he would give a rational answer, and sometimes not.

Q. How long was this conversation between you and him, after that between him and his master?

E. Gosling. It may be about a week or fortnight after that.

George Penny. I was a patient in St. Bartholomew's Hospital.

Q. Do you remember Walker being brought in there?

Penny. I do.

Q. How soon after he was brought in did you see him?

Penny. I saw him the minute he was brought in, and the next morning he called out, and beg'd to be lifted up; I went to lend the nurse a hand to lift him up; some persons came in to see him at the same time, one of which said, *Bill*, who threw you out of the window?

Q. Who was the person which asked that question?

Penny. I do not know who it was.

Q. What was the deceased's answer?

Penny. He answered, *Tipton*; the same person again said, who threw you out of the window? the deceased a second time said, *Tipton*.

Q. Did you apprehend him to be in his senses?

Penny. By the words he made use of, in begging to be lifted up, I apprehend he was in his senses.

William Andrews. I went to the hospital on the 22d of August; I put it down in writing, because I would be particular.

Q. Was you his master?

Andrews. I was. I asked him whether he knew me. He answered, *yes*, *I was his master Andrews*. I said, *Will*, will you tell me how this unhappy affair happened? He said, *yes*. I said, *Will*, don't put yourself in a hurry, consider it is a very weighty affair, for here are two lives at stake as well as your's, you might be fuddled, and sit upon the window, and tumble out; to which he answered, *no, I did not tumble out, but he threw me out*.

Q. Did he say he was not fuddled?

Andrews. No, he did not. I said, what he? He said, *Tipton*. Then I said, *Will*, was nobody else

else in the room besides? He answered, *Blower*. Then I asked him whether *Blower* meddled with him. He said, *no, Blower was at the other end of the room*. After that I might sit for the space of a minute or two, and I asked him for what reason? He said, *I scored for him*. I said, what did you not score fair, *Will*? He said, *no, I did not*.

Q. Was any body by at the time of these declarations?

Andrews. There were two people by, Mrs. Goffing was one, and one Mary Jones the other.

Q. What was meant by scoring?

Andrews. That was setting down the game.

Cross Examination.

Q. Had he been any time with them before this accident happened?

Andrews. I had been there with him about two hours before; his shirt was tucked up. I said to him, business is very much in a hurry, I would have you go home.

Q. How were they then as to friendship?

Andrews. They were then very good friends; I saw no malice then.

Q. Was the deceased apt to drink?

Andrews. He was.

Q. How was he for liquor when you was with him there?

Andrews. He was quite sober, having had nothing that day; he might drink once, but he would not go home; his mistress went for him, but he would not go home with her.

Q. Had not you a right to order him to go home?

Andrews. He being out of his time, I had no command of him. He was not used to that sort of liquor, which might take effect upon him; but I left him as sober as ever I saw him.

Q. What time of the day did you go away?

Andrews. It was about one o'clock.

Mary Jones. I was one that watched in the hospital, and watched the deceased Walker.

Q. Was you there the night he was brought in?

M. Jones. I was; the nurse was out, and I was in her place. After the operation was over, two or three friends came in to see him, and asked him how he came by this accident. He said, *Tipton flung him out at the window*. Twice the first night, and the next morning, upon the return of the nurse, he desired something to drink, so we lifted him up, and gave him something. Upon that, a patient seeing him lifted up, asked him how he happened by that accident. He answered, *Tipton flung him*

out. The person in a minute or two asked him again, and he said *Tipton*. Some days after, his scull was trappanned again. I was by when Mr. Andrews his master came and asked him some questions; it was in a morning, and the other person also was present: The deceased then had two people constantly by his bedside. His master asked him how he did, and if he knew him. The deceased said, *you are Mr. Andrews, my master*. He said, *Billy*, how happened this accident, had you no quarrel with these people? He said, *no, but I scored false*. Mr. Andrews said, did you fall out of the window, or how was it? He said, *no, Tipton took him in his arms, and flung him out so* (extending his arm.)

Q. When was this?

M. Jones. I cannot recollect the day of the month.

Cross Examination.

Q. Can you tell whether the surgeon had been there that day?

M. Jones. No, it was before their time of dressing.

Q. Do you think he was sensible?

M. Jones. Sometimes he had intervals of sense, but I do not swear he was sensible, though he was sometimes; generally he was not sensible.

Q. Do you look upon him to have been in liquor or not, at the time he was brought into the hospital?

M. Jones. At that time I look'd upon him to be very much in liquor.

Q. Could you distinguish his being in liquor, or was it from the effect of the blow he received in the fall?

M. Jones. I never heard any bad language from him but then, when he cursed and swore during the operation.

Q. Did he curse and swear the second operation?

M. Jones. No, he did not.

Q. Had he used to complain at any time?

M. Jones. He always expressed a very great sense of pain.

Q. Was the question, Who threw him out, or Did Tipton throw him out?

M. Jones. The question was, whether he fell out, or whether he had been flung out; he said, *Tipton flung him out*.

Mary Guidner. The day after the deceased was carried to the hospital, I went thither; his master and mistress, and myself, were all by his bedside.

Q. What are you?

M. Guidner. I am his mother.

Q. Who do you call his master?

M. Guidner. Mr. Andrews. Mrs. Andrew stoop'd down to the bed to him and said, *Will*, do you know me, and he answer'd *yes*; she said, who am I, and he answer'd, *Andrews, Mrs. Andrews*; she said, who did this to you, and he answer'd, *Tipton*. It was towards twelve o'clock, and as the surgeons were coming, I and Mrs. Andrews were put out, and he was trapan'd; when he saw them put me out of the ward, he called *Mother, Mother*, several times, very loud, I heard him a pretty way off.

Q. Had you spoke to him then?

M. Guidner. I had not, but I went every day after that, to see him, according as my time would permit; I went very often, and his sister too.

Q. How did you find him as to his senses?

M. Guidner. Sometimes not sensible, and at other times very sensible; he would take me by the hand and ask me to kiss him, and said *God bless you* several times; they were afraid of his being put into a fever, by talking too much.

Q. What day was it the master and mistress and you were there?

M. Guidner. This was on the Thursday; he always knew his sister.

Alice Cooley. I am a nurse belonging to the hospital, but was not there the day the deceased was brought in. The next day I was there, when he said he was very dry, and desired to be lifted up to drink; a person that was by asked him who threw him out of the window, and he answer'd *Tipton*; the same person stood some time longer and then asked him again, when he said *Tipton* a second time.

Q. How long was he in the hospital?

A. Cooley. He was nine week and some odd days; I was with him all the day, and every other night.

Q. In what condition was he, as to his senses?

A. Cooley. At the instant he was lifted up he seem'd to speak the two words sensibly, but he did not continue so, sometimes he appear'd a little sensible, and at other times out of his senses.

Q. Was he mostly in his senses, or mostly not?

A. Cooley. He spoke but little.

Q. Was you very much with him?

A. Cooley. I was with him all the day long, but went home every other night; we had a watch then.

Cross Examination.

Q. What people attended him?

A. Cooley. There were two people with him night and day for the first fortnight.

Q. How was he then as to his senses?

A. Cooley. He was very bad, out of his senses at one time.

Q. to Mr. Potts. Did you perceive him at any time to have any degree of sense, so as to conclude him rational?

Potts. He was so very ungovernable, and so irrational, that we were obliged to confine him with what we call a strait waistcoat.

Council for the Prisoner. I should be glad to know whether you have not in your practice met with persons extremely delirious, who have mentioned particular persons names, as to the recollection of a mother, or any thing of that kind, that might seem to import sense, notwithstanding they were at the same time delirious.

Potts. They will call out to particular persons without doubt. I can only speak what I said before, that he never gave me a rational or sensible answer, he never gave any thing like an intelligible answer in my hearing, but these people said with him a great deal longer than I did; I do not speak this to invalidate what they have said.

Prisoner's Defence.

I did not sling him out, nor was I near him; I did not see him go out, nor miss him out of the room till my wife came up stairs.

For the Prisoner.

Richard Blower. I was at the prisoner's house that day, I came there at twelve o'clock, his house is in Arthur street; I had been to take this house of Mr. Tipton some time before, as he was going to leave it, and I was about leaving mine; I had been that day in Petticoat-lane, and met with him at the sign of the crown, a house called my Lord Mills's, I don't know the name of the place; he said, Blower, will you go home along with me; with all my heart, said I, and went along with him; we went up one pair of stairs, and he asked me if I would have a game at rolipoly; I said, with all my heart, and we had a game; I had never seen the game but once before in my life.

Q. Who did you play with?

Blower. Mr. Tipton.

Q. Was the deceased in the room when you went there first?

Blower. No.

Q. How long had you been there when he came in?

Blower. We had been there about half an hour; when he came in we had no discourse, but just how

do you do, and how do you do, for he used Mr. Tipton's house and mine too.

Q. What did he do upon coming in ?

Blower. He sat down on a chair or a bench, or something of that nature.

Q. Did he play ?

Blower. He never played while we were there.

Q. Do you remember his sitting in the window ?

Blower. I do, very well.

Q. In what part of the window did he sit ?

Blower. The last time that he sat in the window, he sat in the seat of it, with his arm out upon the ledge.

Q. Where did he sit before he went to the window seat ?

Blower. Before that he sat upon a chair, in which I believe he scored for us some time. Mr. Andrews came in, and he played two rubbers with me. After that he said he could stay no longer, and desired his man to go home, as his business was in great haste.

Q. Did he go home ?

Blower. No, he did not. As soon as Mr. Andrews went out of the room, there was one Jonas Hubbard came up stairs and sat down, and I believe he might score for us ; I cannot say whether he did or not, but he went out of the room. Then there were only us three, the deceased scored for us ; he scored so long, that I believe he was in liquor, and when he was in liquor he was quite helpless, you might carry him by his head and legs, and it was impossible to awake him ; he had done scoring for us : I told him he did not score right, and desired him to sit down, and we would score for ourselves. He went and sat down in the window seat, with his arm over the window. I took no farther notice of him. We were quite still, and had not an angry word all the time we were in the room, neither one nor other of us. He sat there I believe the best part of an hour ; at that time it might be about four o'clock.

Q. How long was he there ?

Blower. He was there about three hours.

Q. What liquor had you in the time you were there together ?

Blower. I believe we might have about four shillings-worth of brandy and water, or rum and water ; but I believe it was brandy and water.

Q. What became of William Walker ?

Blower. What became of him I could not tell, for really I did not miss him. Mr. Tipton missing him said, d——n my blood, the first man that goes out of that window again, I will make him suffer for

it. I asked him the reason of that. He said, they make it a common practice of going over the pent-house from the window into the next house. Then I did not take any farther notice of the man. In about a minute or two after Mrs. Tipton came up stairs (the person was out of window) and said, how can you play ? Why ? said I. Said she, there is a man lying dead in the street, and the mob say he was flung through the window ; we went down stairs directly.

Q. What were you doing when she came up ?

Blower. We were playing then, I was going to bowl. I went down stairs, and Mr. Tipton after me ; I went and stood in the tap room.

Q. What became of Mr. Tipton ?

Blower. I believe he might go out at the door ; the mob said, d——n him, d——n him, making such a noise, that I could not stay in the tap room any longer. I went backwards into the kitchen, and sat down there, and after a little time Mr. Andrews came into the kitchen (he was headborough) to make inquiry how it was. I said, go your way, take care of the man, and send him to the hospital, for I will not stir.

Q. Did you see Mr. Tipton meddle with him in the club room ?

Blower. I don't believe Mr. Tipton ever touched him.

Q. Do you think it possible if any person in that room had taken this man and thrown him out of the room, but you must have seen him ?

Blower. I think it is impossible but I must have seen him.

Q. Did you see any body lay hands on him ?

Blower. I never saw any body touch him, to the best of my knowledge.

Q. Was the man in liquor ?

Blower. He was.

Q. Did you continue your gaming without stopping ?

Blower. We did, and when Mrs. Tipton came up we had bowled twice a piece, which was after this man was gone out of the window, I believe.

Q. How long had you played after he sat in the window ?

Blower. We played for almost an hour and half after he sat there.

Q. How large is the room ?

Blower. It is but a small place ; I believe it is not six yards over. I was never up stairs there but once in my life before. They tell me Mr. Strong's men have gone backwards and forwards there over that place from one house to the other.

L

Q.

Q. How long had he left off scoring?

Blower. He had left off scoring, and continued sitting there half an hour and better.

Q. Did you continue playing all the time?

Blower. We did.

Q. What kind of play is it?

Blower. In the middle of the room there are fifteen or sixteen brads nails on the floor, and there is a bowl almost in the shape of a bowl dish, which runs round, and comes in any where, where it happens, and knocks down pins which stand upon the brads nails.

Q. Does one bowl such a number of bowls, and then the other, or how?

Blower. One bowls first, and then the other.

Q. At the time you were bowling, when Tipton said he would make them suffer that went out at the window again, what was you doing?

Blower. I was just going to bowl, and he had just bowled before.

Q. How long before?

Blower. I do not believe he had bowled a minute before, nor nothing like it; I bowled as soon as the pins were set up again.

Q. How many might he knock down?

Blower. He might knock down four or five.

Q. Who set the pins up?

Blower. I believe we both set them up.

Q. Are you sure the deceased was not in the window at that time you were setting up the pins?

Blower. I am not sure he was not; we were both very eager of play.

Q. How far was he sitting from the pins?

Blower. He was sitting just by them.

Q. How near were the pins from the window?

Blower. They were about two yards and half from the window.

Q. How near to the pins do you stand when you bowl?

Blower. We do not stand half a yard from the pins; the bowl has a bias, and it runs round; when he was bowling he stood on the other side of the pins, not that side which the window is of; the pins were betwixt him and the window when he bowled.

Q. At the time he bowled, can you say yes or no, whether Walker was still in the window?

Blower. That I cannot say, I did not miss him.

Q. Did you perceive the deceased had moved?

Blower. No, I did not; we set up the pins, and fell to play again as soon as they were up.

Q. How can you take upon yourself to say, Tipton did not move near the window?

Blower. I don't believe he moved near it, but I can't be sure, for I never thought of any such thing happening.

Q. Do you think it is possible for a man to be in that room and another sling him out of the window, without your seeing him.

Blower. I think it is impossible.

Q. What part of the room was he in when he called out?

Blower. He was between the pins and the window then.

Q. How far from the window?

Blower. About two yards from it.

Q. What posture was he in?

Blower. He stood still, but seem'd to be in a passion about it; he stood upright, as I do now.

Q. In what position was you?

Blower. I was stooping down.

Q. Which way was your face?

Blower. My face was towards him and the window.

Q. Can you tell how long it was between Tipton's bowling and his calling out?

Blower. It might be a minute.

Q. Do you think that was the most?

Blower. I don't believe it was more.

Q. Where was Walker at the time of his calling out?

Blower. He was then out at the window.

Q. Did you see him out at the window?

Blower. No, I did not.

Q. After you missed Walker out of the room, did Tipton go to the window?

Blower. Yes, he did, and look'd thro' the window.

Q. What did he say then?

Blower. I did not hear him say any thing.

Q. Did any body call to him out of the street?

Blower. I did not hear any body call to him. I went to the window as well as he after him, but the penthouse being almost a yard broad, we could not see the deceased.

Q. What did you see?

Blower. There was a croud of people there. Mrs. Tipton came up to us.

Q. How soon did she come up after you missed Walker?

Blower. She came up in a minute or two afterwards.

Q. Can you take upon yourself with certainty, and of your own knowledge, to say that Tipton did

did not throw this man out of the window?

Blower. I swear I never saw him touch him.

Q. Can you swear he did not go towards him, before he went out at the window?

Blower. I can swear I did not see him meddle with him; we both went towards him, we always went round our pins, and he was very near us.

Q. You say you can swear you never saw him touch him, will you swear he did not touch him?

Blower. No, I will not swear that; he might touch him when my back was towards him, but I cannot think he did.

Q. What distance of time was it between your seeing Walker sitting in the window, and people crying out and the like, as you mention?

Blower. It might be two or three minutes. I did not miss him till Mr. Tipton spoke as I have mention'd; and he told me it was usual for people to go out of that window upon the penthouse.

James Bradley. I know the room these people were playing at rolipoly in.

Q. Do you know the middle window?

Bradley. I do.

Q. Describe that window.

Bradley. The room is on the first floor, and our workshop is on the same; there is a penthouse that runs along before that window and also our workshop window, we are used to walk along that penthouse from our shop to that window, the two houses are together.

Q. Whose house do you mean?

Bradley. Mr. Strong's house and Mr. Tipton's.

Q. Did you know Walker?

Bradley. I did, mighty well; he used to frequent that house.

Q. Did you ever see Walker make use of that way over the penthouse?

Bradley. I can't say I ever did; I have seen Mr. Strong's men go out of that window several times in a day.

Thomas Burroughs. I know this house.

Q. How high is the lower frame of the window, to step out upon the penthouse?

Burroughs. It is but a trifle of a way, not far; I have several times went out at that window, two or three times in a day.

Q. Is it a place where you could walk safe along?

Burroughs. I have walked safe along it several times, and another person may do it; I only put my hand against the wall.

Q. How wide is it?

Burroughs. I believe it may be a foot and a half wide, or more; I worked in the next house, and

was a lodger in the publick house, and sometimes when I was lock'd out I used to go that way.

Q. Do you know of any body else that ever went that way besides yourself?

Burroughs. No, I do not.

Q. How high is that penthouse?

Burroughs. If a person was to hang by his hands upon it, his feet might be two or three feet from the ground.

Q. Did you see Walker fall?

Burroughs. No, I did not.

Q. How soon did you see him after he fell?

Burroughs. I saw him in a few moments after.

Q. Did you hear him say any thing?

Burroughs. I asked him who threw him out of the window; he said, *Tipton and Blower.* This was as soon as ever he could speak; whether he was in his senses or not, I cannot say.

Mary Dbwith. I saw Walker at that middle window.

Q. What day, and what time of the day?

M. Dbwith. Betwixt three and four in the afternoon of the 15th of August, the day he fell down.

Q. In what posture did he stand?

M. Dbwith. I was very busy washing at my own shop, facing Mr. Tipton's house. I went to the door to throw out some water, and saw Walker sitting. I said take care or you'll be down. I went in again, and I never saw him more; he had one leg out at the window, to the best of my knowledge.

Q. What was the reason you called to him to take care?

M. Dbwith. Because I had known him a great while.

Q. Did you think him in a posture likely to fall?

M. Dbwith. I don't know; he might sit out at a window and not fall.

Q. Describe how he was sitting?

M. Dbwith. To the best of my knowledge, he sat with one leg out of the window, and I saw him no more till I saw him in the street.

Q. Did his legs touch the penthouse?

M. Dbwith. I do not believe they did, they were too short; I held up my hand and said, take care, you'll be down.

Q. Did he make you any answer?

M. Dbwith. No.

Q. You say one leg was over the window, where was his body?

M. Dbwith. He sat right up, cross the place, cross the window.

Q. How long after that did he fall down?

M. Dbwith. It was not a great while.

Q. How long?

M. Drwith. It might be about fifteen minutes, for he had been down some time before I saw him.

Q. to Blower. When you saw him sitting in the window seat, the last time you saw him in the room, how was he sitting?

Blower. He was sitting in the window seat with his arm leaning on the frame.

Q. Did you see him sitting cross the window frame?

Blower. No, I never did.

Q. Did you at all see him attempt to get out at the window?

Blower. No, I did not.

Q. to M. Drwith. Do you know any thing more that is material?

M. Drwith. I can't believe otherwise than that Tipton threw him out at the window.

Q. What makes you believe so?

M. Drwith. Because he would not have come down of himself.

Robert Cambridge. I saw Walker near 4 o'clock. I went right against the house of Mr. Tipton to fetch an empty basket, shutting the door after me. I saw Walker out at the window. I catch'd the basket up and look'd at him; he was holding by the frame of the window, standing on the penthouse, he was in his shirt, with neither hat nor cap on, but I took the basket and went along.

Q. Did you know Walker?

Cambridge. I had seen him before: My master filled the basket with rubbish, and I carry'd it a little way. When I came back again, I saw people running to this house, and said to my master, I cannot think what is the matter at Mr. Tipton's, there are a great many people there. My master went to see what was the matter, and I saw the people running very thick. My master came back to me and said, I wish you had not sent me. I asked him why, and he said because Tipton had push'd a man out at the window; then I said I saw him out at the window before.

Q. How long was it that you saw him on the penthouse, before you saw the people running?

Cambridge. It was about five minutes; he was holding by the frame of the window, with his back towards the street.

Q. Did you see any body at the window besides him?

Cambridge. No, I saw nobody at all besides him, no soul else.

Q. to Blower. Did you see Walker stand upon the penthouse?

Blower. No, I did not.

Mary Thomas. I know Tipton's house.

Q. Did you know the deceased?

M. Thomas. I did. I remember seeing him at that house on a Wednesday, about four or five o'clock.

Q. Do you mean the day that he fell down?

M. Thomas. I do. I saw him out at the middle window almost.

Q. Where was you at the time?

M. Thomas. I was facing the window, standing at a door; he was with his knee on the ledge of the window, with his foot just out, and his right-hand upon the penthouse.

Q. How long did you continue looking at him?

M. Thomas. I did not continue any time at all; I went home about my master's business.

Q. Did you call to him?

M. Thomas. No, I did not.

Q. Did you hear any noise or disturbance?

M. Thomas. No, I did not.

Q. Did you see any body at the window besides himself?

M. Thomas. No; I saw nobody there besides himself.

Q. Did you see him sitting in the window before?

M. Thomas. No, I did not; the first that I saw of him was with his knee upon the ledge of the window.

Q. Which knee was it?

M. Thomas. His right knee was upon the ledge, his right foot was just over the ledge, and his right-hand down on the penthouse.

Q. How long was that before the bustle was in the street?

M. Thomas. To the best of my remembrance it was about a quarter of an hour.

Q. Was it before the bustle began, or before you heard it?

M. Thomas. I believe it was before I heard it.

Q. Did you see any body near him?

M. Thomas. No, I did not.

Q. to Blower. What distance is it from the bottom edge of the window to the penthouse?

Blower. It may be about half a yard.

Q. Could a man, with his knee on the window, reach down to the penthouse, and not fall?

Blower. Yes; the window is sloping.

Jonas Hubbard. I have measured the distance from the Penthouse to the street, from the top of the Penthouse to the street.

the penthouse next to the widow cill is 13 feet 10 inches to the ground, and from the top of the penthouse to the window cill is 6 inches, 3 the cill, and 3 the brick work; a person may very well put his hand out and lean upon the penthouse.

Q. When did you measure it?

Hubbard. I measur'd it to day twice; the penthouse is 2 foot 2 inches wide, and I believe it is about 12 foot 8 from the penthouse to the ground.

Q. Do you know where the deceased fell, where the jury marked?

Hubbard. That I measured.

Q. Did you see the deceased lie there?

Hubbard. No, I did not; I was shewn the place where they said his head lay.

Q. How high is it from the seat of the window, on the inside, to the cill of the window?

Hubbard. That I did not measure, but I believe it is 10 or 11 inches, that is, from the window seat to the sash cill of the window, the lower frame; the place where the deceased's head lay is sideways, I do not mean right forwards into the street, but slantways, 7 foot 5 inches from the middle of the window, and it is 5 foot 3 inches from the penthouse, that is, the drip-edge.

To his Character.

Michael Duffel. I have known the prisoner between 17 and 18 years, he served me 17 years; he came to me in 1741 and left me in 1758.

Q. Where do you live?

Duffel. I live in Chelsea, he was servant in my madhouse.

Q. What is his character?

Duffel. He is a sober civil quiet man, as ever came into any family; I never had any complaint of him all the time he liv'd with me, he is a very good temper'd mild meek man; I have sent him to families, and I never had any complaint of him; he is as humane a man as any I know.

John Collins. I have known him seventeen or eighteen years.

Q. Where do you live?

Collins. I live in Chelsea. I knew him when he was servant with Mr. Duffel; he is a very civil, sober, honest man: I never saw him out of temper in my life; he is a quiet inoffensive man.

Thomas Dixon. I have known him about seventeen years; I live in that neighbourhood, and have often been in his company: I always took him to be a very quiet good sort of a man.

John Rusford. I have known him seventeen or eighteen years; he is a very honest, sober, civil, good temper'd fellow, and behaved very well.

Peter Juship. I have known him ever since he came to live with Mr. Duffel, in 1741. I was partner with him sixteen years, and I never saw him quarrelsome. If he saw any quarrelling, he would endeavour to assuage it; he is a very humane good natured man.

John Fisset. I have known him about seven or eight years; he is a good natured, sober, civil man as ever I knew, and he always behaved well.

George Beck. I have known him eleven or twelve years, and he is a very good, civil, humane man.

Thomas Duffel. I have known him about sixteen years, and he was a very civil, peaceable, quiet man as ever came into a family; he bore a general good character, particularly remarkable for tenderness to every person he had the care of.

Thomas Bradly. I have known him about seventeen years, and he always bore a very good character; he is a very honest, sober, good-natured man, not subject to passion or quarrelling.

Charles Mundin. I have known him twelve or fourteen years, and he is a very sober, honest, quiet man: I believe him to be a man that would hurt nothing, if he could help it.

Henry Leaver. I have known him about eighteen years, and he is an extremely good, honest, quiet man; he bears the best of characters.

Q. How is he for temper?

Leaver. Of very agreeable temper; I never saw him quarrelsome in my life.

Mr. Mulinox. I have known him something better than a year. I am servant to Mr. Whitebread, and have eat and drank with him; he behaved very well, and discharged his debts honestly. I never saw any thing like quarrelsome in him in my life, or any thing malicious.

Acquitted.

39, 40. (L.) Benjamin Langrin, and Christian Carter, were indicted on two separate indictments, for wilful and corrupt perjury, on a trial at the last sessions, held by adjournment at Guildhall, &c. †

John Shaw. I was attorney for Mr. Davis and wife, and John Griffee, at Guildhall, last sessions; it was for an assault committed by them on Langrin, the prisoner at the bar. The two prisoners at the bar gave evidence on that trial against the three defendants I have mentioned.

Q. Did you see the prisoners sworn?

Shaw. I did.

Q. What was the evidence Langrin gave?

Shaw. He swore he went into the house of Davis (who at that time kept the Crown alehouse in Crown Court, Fleet Street) and called for three

M

pints

pints of beer, the first he drank himself, the second he drank part of, and the third pint that was brought him was water; that when he put the pot to his mouth, Davis gave the bottom of the pot a chuck, which threw the water upon him, struck against the side of his face, and knocked out two of his teeth, which he then shewed in his hands: After that Davis knocked him down against the fire place, and as soon as he got up again Mrs. Davis struck him on the back part of his head with a pint pot that she had in her hand, which caused a large swelling, which he then shewed in court, on the back part of his head, and said that he never had that swelling there before; that Davis spoke to Griffice in Welch to beat him, the said Langrin, and that Griffice did knock him down three times in the house; that by reason of this beating, and what happened to him that night, he was obliged to lie by for near three months, and said he was not able at that time [meaning the time of his giving this evidence] of working as before.

Q. What was the evidence Christian Carter gave on that trial?

Shaw. Carter swore he came accidentally into that house, at that time, for a pint of beer, which was brought him; that just after he came in he saw Mr. Davis bring Langrin a pint of water, that he saw Langrin give Mrs. Davis three halfpence for it, and did not see her return it to him again; he said, when Langrin was going to drink the water he saw Mr. Davis chuck the water out of the pot upon Langrin, and struck the pot against his cheek, which knock'd one of his teeth out, and that he saw the tooth afterwards; that afterwards he saw Davis knock Langrin down, and when Langrin got up he saw Mrs. Davis strike Langrin a violent blow on his head with a pint pot, which she had in her hand, and said he saw Griffice knock Langrin down in the house, but did not name the time. I remember Langrin said he had known Carter 11 years, and when Carter was asked how long he had known Langrin he at first said he had known him 2 years, and being asked again that question, then he said he had known him no more than 3 years.

Q. When was this trial?

Shaw. It was the first day of last sessions at Guild-hall.

John Davis. Langrin prosecuted me for an assault.

Q. Is what Mr. Shaw has said here true or false?

Davis. He has said the truth; the two prisoners swore what he has related.

Q. Do you remember Langrin's coming to your house?

Davis. Yes.

Q. When was that?

Davis. It was the 9th of November was twelve months; I then lived at the Crown in Crown-court, Fleet Street, but I left that house in January last.

Q. Did you draw him a pint of water?

Davis. No, I did not; he began to quarrel, and I did not chuse to draw him any more beer, then he said if I would not, he would draw it himself, and taking a pint pot went down into the cellar; I was afraid of his doing some mischief, in letting the liquor out, so took a candle and went down after him; there was a butt of water stood all the same as a butt of beer, with a cock in it, fronting the cellar stairs; when I saw him going to that, I was very well pleased, and he went up with a pint of water, and I after him. I step'd on one side while he drew it, and he did not see me. I was behind him, and saw him give my wife three halfpence, I whispered her, and said, you should not take it, for it is only water, so she gave it him again; he put the pint to his mouth, and finding it was water said, what have you given me here, d——n you, what have you given me here, and flung it in my face. I had said not a syllable to him, neither did I meddle or make with him.

Q. Did you chuck the pot in his face?

Davis. No I did not, I stood behind him.

Q. Did you see any of his teeth knock'd out?

Davis. No, I saw no such thing.

Q. Did you knock him down?

Davis. No, I did not.

Q. Did Griffice knock him down in your house?

Davis. No, he did not.

Q. Did you bid Griffice in Welch to knock him down?

Davis. No, I did not.

Q. Did any body sling water upon him?

Davis. No, nobody did in my house.

Q. Did you see your wife return him his three halfpence again?

Davis. As soon as I had told her, I saw her return it to him.

Q. Was you present all the while?

Davis. I was.

Q. Was you sober?

Davis. I was as sober as I am now. When he threw the water into my face, my wife went to him and desired him to get out of my house. He then went into a box, and laid his head down on his arm for 2 or 3 minutes, and nobody minded him; then he jumped up and went out into the court (nobody said any thing) where he cried murder as loud as he could.

Q. Did your wife cut him on his head with a pot?

Davis. No, she did not; she had never a pot in her hand.

Q. Was Christian Carter in your house that night?

Davis. No, he was not; this was 11 o'clock at night, when Langrin was there. I never saw him till I saw him in court at Guildhall.

Cross Examination.

Q. Had Mr. Griffice and Langrin any quarrel?

Davis. No, they had not.

Q. Did not Langrin fall near the fire?

Davis. No, he did not fall at all.

Q. When he flung the water in your face, did you reek it?

Davis. I thought, as his master was a very litigious man, I had better say nothing to him, so I only shook my cloaths.

Mrs. Davis. I remember this affair; it was last Lord-mayor's day was twelvemonth, at night. Langrin gave me three halfpence, and my husband told me he had got only water, so I returned him his three halfpence again, and he flung the water over my husband's face; but my husband never touched him nor the pot while it was in his hand. I took hold of his shoulder to put him out of the house, but I never struck him either with the pot or any thing else.

Q. Did your husband talk Welch to Mr. Griffice?

Mrs. Davis. I do not understand Welch. Griffice sat drinking with another man at the time, but he never stirred out of the box, neither did he strike him; and as to Christian Carter he was not at our house that night; there was nobody in the house but whom I knew.

John Griffice. I was at Mr. Davis's house that night, and saw Langrin go down into the cellar and bring up a pint of water; I saw him give Mrs. Davis three halfpence for it, and I saw her return him it again: He flung the water into Mr. Davis's face, and Davis only shook his coat; he did not touch him nor the pot.

Q. Did Davis (in Welch) bid you knock Langrin down?

Griffice. No, he did not; neither did I knock him down, or touch him at all; neither did Mrs. Davis strike him, for I was there all the time.

Q. Was Christian Carter there?

Griffice. He was not there that night.

David Harris. I was there that night, and heard Langrin say he would go and draw a pint of beer himself; he went down, came up again, and put the money into Mrs. Davis's hand, which she returned to him again. He asked the water, and said, d—n you, what I have got here? and turned about, and flung it into Mr. Davis's face. Mr. Davis never meddled with him, only shook his coat. Mr. Griffice never touched him all the time he was in the house, neither did Mrs. Davis strike him over the head with a pot; and as to Carter he was not there.

Griffith Lewis and Thomas Parry exactly confirmed the account, in every particular, given by the other three witnesses.

Lawrence Sanson (Labart). I have known Langrin between nine and ten years, I work'd with him about that time at one Mr. Levit's, in Salisbury-Court; we used sometimes to sit bare-headed, and he had then a bump on the back part of his head, I can't tell how it came. [The prisoner shew'd his naked head, and on the back part of it was a bump about as big as half a middling orange.] That I have seen as it now appears near ten years ago; he always was a quarrelsome man.

Langrin's Defence.

What I said before is very true; he would not deliver the water without the money, and then he threw it upon me, and they almost murder'd me.

Carter's Defence.

Mr. Langrin told me the trial was to come on. I went to one Gregory at Limehouse, who gave me an order to take 4s. 6d. for him at the court of conscience at Guildhall, and going to receive it Langrin met me full-but, and gave me a subpœna and a shilling. I went to an alehouse, and asked a stranger if I must appear to it, who said I must, or else pay 40l. or suffer one year's imprisonment. I went out of the way that I might not hear his examination, and when he had done I went into court and gave mine.

Langrin called Erick his brother, who gave him a good character.

Carter called Frederick his brother, Thomas Collier, John Davis, and James Gregory, who all gave him a good character.

Both Guilty.

41. **Abraham Barewe** was indicted for wilful and corrupt perjury.
No evidence appeared. Acquitted.

42. **Richard Sharp** was indicted for wilful and corrupt perjury.
No evidence appeared. Acquitted.

The trials being ended, the court proceeded to give sentence as follows:

Received sentence of Death 3.

William Budd, Thomas Hartshorn, and James Brown.

Transported for seven years 14.

Elizabeth Morris, Elizabeth Hughes, Mary Delling, Hannah Shoute, Samuel Terry, John Crowther, Rebecca Weech, Jane Charlton, Mary Butterfield, John Hesley, Christopher Mear, Elizabeth Burris, James Sawingwood, and Robert Robertson.

Thomas Page to be imprisoned for one month.

To be branded 3.

William Matthews, Susannah Matthews, and Mary Sturges.

To be whipped 1.

Margaret Battershall.

John Ayliffe, capitally convicted last session, was executed on Monday the 19th of November.

Benjamin Langrin, and Christian Carter stood on the pillory in Fleet Street, pursuant to their sentences, on Monday the 10th of December.

The Right Honourable Sir **THOMAS CHITTY**, Knt. Lord-Mayor.

G O D save the **K I N G**.

The next sessions begin on Monday the 14th of January next at Guild-Hall, and on Wednesday the 16th at the Old-Bailey.

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THE
PROCEEDINGS

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 16th, and *Thursday* the 17th of JANUARY,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER II. for the YEAR 1760.

Being the Second SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed, and sold by G. KEARSLY (Successor to the late Mr. *Robinson*) at the
Golden-Lion, in Ludgate-Street, 1760.

[Price Four-pence.]

THE P R O C E E D I N G S O N T H E

King's Commissions of the Peace, and Oyer and Terminer, for the City of
LONDON, and at the General Sessions of Gaol Delivery of *Newgate*,
holden for the said City of LONDON, and County of MIDDLESEX,
at *Justice-Hall* in the *Old-Bailey*, &c.

BEFORE the Right Honourable Sir THOMAS CHITTY, Knt. Lord Mayor of the City of London; the Hon. Sir THOMAS PARKER, Knt. Lord Chief Baron of His Majesty's Court of Exchequer; the Honourable Sir EDWARD CLIVE, Knt. † and the Honourable HENRY BATHURST, Esq; † two of the Judges of His Majesty's Court of Common-Pleas; the Worshipful Sir WILLIAM MORETON, Knt. Recorder of the City of London †; and others of His Majesty's Justices of Oyer and Terminer for the said City.

London Jury.

Benjamin Blackden
Benjamin Wilson
Thomas Eastland
Carrol Friend
Thomas Lawrence
Thomas Hampshire
Edward Purlace
Charles Brown
Thomas Johnson
Rudolph Samfield
Robert Holiday
Thomas Minchen

Middlesex Jury.

William Heritage
Samuel Slade
George Barber
William Collins
Edward Fitz
Barnard Gardner
Jonathan Jennings
Samuel Doyley
John Carpenter
William Staples
Griffiths Edwards
Henry Jackson

43. *John Tyrrel* was indicted for stealing two pewter dishes, value 2s. the property of Peter Ives, December 27.
To which he pleaded guilty.

44. (M.) *John Burch* was indicted for stealing ten yards of ribband, value 4s. the property of Sarah Tulk, December 8.

N. B. *The Characters* * † † direct to the Judge, by whom the Prisoner was tried; also (L.) (M.) by what Jury.

Sarah Tulk. On the 8th of last month, about seven o'clock in the evening, my maid was gone out, and in about a minute or two after I heard a sort of a bustle in my shop; I went quick upstairs, and at the top of the stairs I met the prisoner at the bar, who held a half-crown to me, and desired I would change it for him. I seeing behind him two other men in the shop, was surpris'd, and said, I cannot change it, pray go out. He said, pray change it, and held it still towards me, saying, I want to pay these men. The other men said, it is a mean thing if you cannot give change for that. They went out, but the prisoner stood pulling at the ribband, which I saw he had hold of out at the door; they all had pulled at it. I took hold of the prisoner's collar, and also of the ribband, took it out of his hand, called for assistance, and had him secured.

Q. Where was the ribband before he took hold of it?

S. Tulk. It was on a roll, fastened to a line, which was tied to a post.

Cross Examination.

Q. Did you take the ribband from his hand, or from the post?

S. Tulk. I took it from his hand, but part of it was down on the ground in the street.

Q. Was not part of it in the window?

S. Tulk. No.

William Toldervey. I was below in the prosecutrix's kitchen when she called out; I ran up and saw her holding the prisoner by the collar: I laid hold of his coat, and pull'd him into the shop. Then we sent for an officer, and took him before Justice Fielding.

Q. Did you see the ribband when you took hold of the prisoner?

Toldervey.

Toldervey. I did ; it was all quite loose, and part of it on the ground. When we were before justice Fielding he ordered the people to search the prisoner, and in one of his pockets were found some red herrings, and in another about five or six shillings, in shillings and six-pences.

Cross Examination.

Q. Did you see him take the ribband ?

Toldervey. No, I did not ; the prosecutrix had detected him before I came up.

John Roderup. I live next door to the prosecutrix, and heard the cry of *stop thief*. I ran out, and saw the ribband lying on the ground ; there was the prisoner standing just by it at her door, whom she pulled into her shop.

Q. Did you observe whether all the ribband was on the ground ?

Roderup. I saw it lying by the post out at the door, but whether the end of it was fast within the shop, I cannot say.

Cross Examination.

Q. Did he make any resistance ?

Roderup. No, he did not, but went into the house.

Prisoner's Defence.

I was in liquor, and knew nothing of it : I did not think of the least harm in the world.

For the Prisoner.

Richard Peak. I have known the prisoner twenty five or twenty six years.

Q. What is his general character ?

Peak. He is as honest a man as ever I knew ; he lives in Bell Yard, where I have lived nine years, and have had dealings with him.

James Blacket. I have known him twenty years.

Q. What has been his behaviour ?

Blacket. He is a very honest, pains-taking man.

Q. What is his business ?

Blacket. He is a smith, and rents a little house of about five or six pounds a year.

William Brown. I have known him eight years, and he has a very good character ; I never heard any thing to the contrary. He has dealt with me three years, and he has always paid me honestly.

John Reynolds. I have known him sixteen or seventeen years.

Q. What is his character ?

Reynolds. He is a very honest man as far as I know ; he works hard to support his family.

Gibins Pembroke. I have known him about eight years, and he is a very sober, honest, labouring man, as any in Whitechapel : He has two children, and his wife ready to lie-in again.

Guilty.

45. (L.) *David Morgan* was indicted for stealing eight pounds weight of sugar, value 2s. and 8d. the property of Samuel Turner, December 26. †

Francis Neal. I saw the prisoner take a great lump of sugar out of a hoghead : I bid him put it in again, and go along.

Q. What time was this ?

Neal. This was about one o'clock in the day.

Q. What are you ?

Neal. I am a watchman on Smart's Key. When I took him in charge he had got a bag behind him with about eight pounds of sugar, which I saw weighed.

Q. Do you know whence he took that sugar ?

Neal. I imagine, by there being so large a hole, he took it out of the same cask. The wharfinger's watchman mended the hole as well as he could.

Q. Was it open ?

Neal. No, it lay bouge ways.

Q. You say you saw him take a lump out, how did he get it out ?

Neal. I do not know how he came at it, but he did not deny it. There were two staves broke in the hoghead ; let the prisoner deny it if he can, there he is.

John Coats. I am a porter, and belong to the Keys, and have these goods in trust. Neal came and told me he had taken a soldier that had taken some sugar out of a cask from off the Keys. I went, and he shew'd me the cask, there were two staves broken ; it belong'd to Mr. Turner, and was brought by the ship Thomas, captain Burton, from Antigua. We carried the prisoner before Sir Joseph Hankey, where the evidence Neal gave a better account of the matter than now. The sugar is present in court.

Q. Did you observe any place broke in the cask ?

Coats. There was a place had been broke, but it was mended again.

Q. What said the prisoner upon his being charged ?

Coats. He beg'd forgiveness, and said he never did such a thing before.

John

John Webb. I am a constable (*he produces the sugar*) this bag was hanging behind him, and he gave it into my hand. I was before the alderman, when he was charged with taking this sugar out of the hoghead; he said he never did so before, and beg'd for mercy.

Prisoner's Defence.

I took the sugar off the ground.

For the Prisoner.

Serjeant Macgrief. I have known him 4 years, and belong to the same company; he has always behaved well, and never was confined, or punished.

Philip Hall. I belong to the same company that the prisoner does; he is a very civil fellow, and has behaved well ever since he has been in the company, which is about 4 years.

Guilty.

46. (M.) *James Barlow* was indicted for stealing one cock, value 2s. the property of Thomas Brittain, December 27. †

Thomas Brittain. I lost a game cock from out of my cellar in Brook's Mews; it was there at eight o'clock. I missed him at nine, and I asked the prisoner, the first person, if he had seen him; he said no, he had not, but I had a suspicion he had the cock; he came three days after, and asked me if I had found him, telling me he had seen a cock, and desired him to be just such a one as mine. I ran to see the cock, but it was not mine. I found him in Swallow-Street, at the Fox and Hounds alehouse, in the prisoner's possession; he had him there in a bag.

Q. What is the prisoner?

Brittain. He is a cobbler; he fights cocks sometimes.

Q. Who had hold of the bag?

Brittain. The bag was hanging up. As soon as I challenged the cock, the prisoner said it was his property, he had bought him (*the cock produced alive.*) This is my property, I have lost many before, but never found any again but this.

Q. Was the prisoner in your cellar the night you lost him?

Brittain. No, not as I know of.

John Pardin. In April I gave Brittain a red cock, as I am no cocker; I have not seen the cock till Monday last, and I believe him to be the same cock.

Q. Look at him now.

Pardin. I believe him to be the same, by a particular mark on his nose.

John Hooper. I heard Brittain challenge the cock; the prisoner told him, if it was his cock he should not have him.

A Witness. I was in the next room in the alehouse when Mr. Brittain challenged the cock. I went into the room and heard the prisoner say, if it was his cock he should not have him.

Prisoner's Defence.

I told Mr. Brittain I would produce the man I bought the cock of, but the constable came in and took me away to the Roundhouse, and then to the prison, and having nobody to follow the man I have not been able to find him; but I have an evidence here who saw me buy the cock in the street, just by my stall.

For the Prisoner.

Judith Ruth. I know nothing about a game cock, but I saw the prisoner buy a cock near his stall.

Q. When?

J. Ruth. About three months ago; whether it was a game or a dunghill, I cannot tell.

Q. What sort of a cock was it? describe it as well as you can.

J. Ruth. It was a big cock, but I can't say that I know it again.

Q. Look at this cock. (*She looks at it.*)

J. Ruth. It was like this cock.

Q. to prosecutor. What time did you lose your cock?

Prosecutor. I lost it on the 20th of October, and found it again on the 27th of December.

The prisoner called three witnesses to his character, one of whom had known him ten years, another five, and the other a year and an half, who all gave him the character of an honest and industrious man.

Acquitted.

47. *Edward Johnson* was indicted for stealing one shirt, value 2s. one pair of shoes, value 1s. and one pair of stockings, value 2s. the property of John Lambert.

To which he pleaded guilty.

48. (M.) *Peter Hopgood* was indicted for stealing one black gelding, value 10l. the property of Richard Jones, December 10. †

Richard Jones. I live in the parish of Gadsbury, in the county of Bucks. I lost two geldings out of

of my stable on the 4th of December last, at night.

Q. What colour were they?

Jones. One was a black draft horse, and the other a grey riding nag: They were both in my stable at eight o'clock the over night, and about five the next morning my servant (who had got up to feed the horses) came and told me they were both missing, and also a saddle, a bridle, and a halter.

Q. What are you?

Jones. I am a husbandman. I went to two of my neighbours, and desired them to take their nags and go out in search of them; they went out accordingly, and myself also, by eight o'clock that morning, one towards Kington, another towards Uxbridge, and the other towards the Forrest; this was on the Tuesday, and on the Thursday was seven night after, Mr. Green sent a man, who told me he had stopped the black one, and the person that brought him.

Q. Had you advertised them?

Jones. I had, and also put out one thousand hand bills. I went the next day to Mr. Green's at Bethnal Green, where I saw the horse, and swore to him as my property, it being the same I lost that night; he was delivered to me.

Mr. Green. I was at Hackney, standing at the doctor's door who shoes my horses, when the prisoner came by on a black gelding, and asked me if I knew any body that would buy such a little horse. I immediately said I would; if he would sell him worth the money. He said, he would. I said, let me see him move; he moved him backwards and forwards. I liked his moving very well, and asked him the price. He said, the horse is worth nine pounds. I said, I could not afford to give so much. He said he bought him in a drunken frolick, and he had no use for him; that he cost him six pounds ten shillings, and I should have him for that; but at last I bought him for five guineas. I gave him half a guinea earnest, and said, if you will bring me a voucher, that you came honestly by him, I will pay you the rest of the money. He said, if I would go with him to Mr. Palmer's at Clapton, there was a person would vouch for him; but the person there said he would not vouch for him, and told me he had been tried at the Old Bailey about a year ago for stealing a horse, and suspected this was stole likewise, by his selling him so cheap, for the horse was worth more money. Then we went in at the Cock at Hackney, to drink, and told him what we had been told. He

said he had been in trouble before, & but this horse was honestly come by. I charged an officer with him, and got my half guinea again. We took him before justice Welch the next day, before whom he own'd he had taken the black gelding, and likewise a grey one, out of the prosecutor's stable, and that he had left the grey one at Dartford in Kent.

Prosecutor. I went there and found the grey one.

Green. Then I sent to Mr. Jones the prosecutor; he came to see the black one, which I had stopped, and swore to him, and he was delivered to him.

Prisoner's Defence.

I ask mercy of the court.

Guilty, Death.

§ See him tried, No. 89, in Sir Richard Glyn's mayoralty, for stealing a black gelding, value 14l. the property of Mr. Richard Page, of Harrow.

49. (M) William Saunders was indicted for stealing twenty deal scaffolding boards, value 20s. and one piece of oak timber, value 20s. the property of Joseph Clark, Jan. 4.

John Abbot. I was commission'd by Mr. Joseph Clark to sell the materials on that spot, where were many scaffolding boards; the prisoner at the bar came there with a cord, to measure the lengths of some pieces, pretending to purchase, but did not buy any. I never saw him but that time, till he was taken up.

Q. How came you to take him up?

Abbot. There is a witness here to be examined, who cohabited with the prisoner, and came and told me there were some boards, our property, on his premises. I went and found, as she had said, a piece of timber and some boards.

Q. When did you miss the boards?

Abbot. We had missed timber and boards for half a year past.

Q. Where did the prisoner live?

Abbot. In Little Gilbert Street, Bloomsbury, they were in a vault in his house; this was on the 4th of January last.

Q. Are you certain they were Mr. Joseph Clark's property?

Abbot. I am; here is a piece of board [producing a piece about sixteen inches long] that has Mr. Clark's brand mark on it. The constable took the prisoner that evening, and carried him before justice

O

Welch,

Welch, where the evidence made affidavit, that he had taken twenty three of our boards, and cut them into short pieces, some of which were burning on the fire when we went into the house. Upon our charging the prisoner with taking them, he acknowledged he was guilty, and beg'd for mercy. We lost several other boards, not laid in the indictment.

Mary Fay. I lived servant with the prisoner at the bar, and saw him bring in upwards of twenty deal scaffolding boards, and cut the masts out of them; he said he did not fear being found out, and that where he had one this year he would have ten the next.

Q. Was you before the justice along with him?

M. Fay. I was, and there heard him ask for mercy.

Q. What were the words he made use of?

M. Fay. He said, I hope you will shew mercy to me.

Prisoner's Defence.

This is the very person (she knows in her own heart it is true) that fetched the boards to my house. I never touched one of them.

Q. to M. Fay. Did you fetch any of them to your master's house?

M. Fay. He sent me for a piece one night; he flung down a sixpence on the hearth, and said, the d— I take him if I should have any money the next day, if I did not go and fetch some of the boards. I went and took one piece, and two watchmen catch'd me. The prisoner came out and said, she is a poor servant, and gave them a pot of beer; so they let me go.

Prisoner. They swear too hard for me, I must leave it to the mercy of the court; I hope I shall be admitted to serve the king.

Guilty.

50. (M.) *Margaret Conner*, spinster, was indicted for stealing one pewter pot, value 8d. the property of Thomas Squires, January 8. *

Alexander Mc Gregor. I draw beer for the prosecutor. I went down into the cellar to draw a pint of beer, on the 8th of this instant, when the prisoner asked me the way to our back place; I shew'd her, and drew the beer; but suspecting her, I returned and saw her going out of the cellar. I ran out into the street, and took her about eight or ten yards from the street door, with this pot in her hand full of beer (*producing a two quart pot.*) I brought her and the liquor back.

Q. What did she say for herself?

Mc Gregor. She said she found the pot standing in the passage.

Thomas Squires. I keep a publick house (*he takes the pot in his hand*) this is my property.

Prisoner's Defence.

I found the pot full of liquor standing in the passage.

Guilty.

51. (M.) *Ann Sparkes*, otherwise *Booker*, spinster, was indicted for stealing one silver pepper box, value 10s. one silver milk ewer, value 10s. one silver salt, value 5s. one pair of silver shoe buckles, value 5s. two silver table spoons, two silver tea spoons, and one silver watch, the property of the right reverend Thomas lord bishop of London. It was laid over again to be the property of Elizabeth Somner, widow; and it was laid a third time to be the property of persons unknown, Jan. 2. ||

Charles Dosey. I live at Kentish-town; the prisoner came along with a clean looking man to lodge at my house, I did not know the man's name till after he was dead.

Q. How long had they lodged at your house?

Dosey. They were there I believe two months this day. The man came into my house on the last day of the old year, about nine o'clock, well and hearty. I was just about going to bed. The prisoner came in soon after, and I heard no more of them, till about five o'clock in the morning, when the prisoner came to my room door and knock'd, saying my husband is dead. I said what the plague is the matter with the woman, are you mad? she said he was dead indeed. My wife got out of bed and opened the door, when the prisoner came in with a candle in her hand. I said, pray what time did he die? she answered, about two o'clock, and said to my wife, Madam, have you got any thing in the house, I am sick, or tired, I don't know which, and my wife gave her a glass of rum.

Q. Did she give any reason why she had not acquainted you with it sooner?

Dosey. No, she did not. I arose and went up stairs to their room, and said you have not acted like a prudent wife. Said she, what have I acted like. I said, like a d—d bitch of a whore, because you did not tell me, or my family, but say he has had a fit, and a fit. [She had told me he had two fits, that she had occasion to go down into the yard, and when she went up again he was dead.] I looked at the man, and saw he was dead. I said, pray where are his friends and acquaintance? He has

has none, she said. I said, it is very odd that this man has been so long in London, as you say, and has no acquaintance or friends, where are his lodgings in London? She said it was somewhere by Charing Cross. Said I, he once told me he had a child, where is that? She said she did not know, it was somewhere on the other side of the water. I said, it looks dark to me, where are the effects he had about him, for I think you intend to pillage him here, and then go to London and pillage his lodgings there. On this I demanded the things to be left in my hands, in order to bury the man, he has a watch and rings, I will give you a bond of 40l. that every halfpenny shall be accounted for. She told me I had no business to molest her, the man shall be buried. I said, if you want half a guinea or a guinea, I will lend you that till you get your friends, but I could get no satisfactory answer. Then I said I would charge an officer with her, so sent for one and gave him charge of her. As we were going over the fields with her towards London, she said she did not know what but as she had to go before a justice, she would deliver the things to me if I would acquit her. We said we would not acquit her if she would give us one hundred guineas. We took her before justice Welch, where she cry'd and said she was not his wife, but that he promised to marry her. She pulled out a little bit of paper and shewed it to us; then she pulled out a silver watch, a table spoon, and a tea spoon, and to the best of my knowledge she told the justice they were all she had. I told the justice she had more things about her, so the justice desired she would produce them, which she refusing to do, he with his own hand took out from her bosom a silver cream pot, or silver pepper box, and then ordered her to be searched. There were then found in her bosom a pair of silver shoe buckles, and either the pepper box or cream pot, a salt, a table spoon, and a tea spoon.

Q. How did she appear when she came to you at five o'clock, was she dress'd?

Doxey. She was dress'd, with all her cloaths on. [The goods produced in court, sealed up with the justice's seal.] The prisoner said the cream pot was her own property, and that her name was on the bottom of it.

Q. Is her name upon the bottom of it?

Doxey. No, it is not her name.

Elizabeth Somner. I am wife to the deceased, my husband bought this cream pot many years ago, it is my property.

Q. to Doxey. Did the prisoner go by the deceased's name at your house?

Doxey. I never knew his name; she went for his wife.

Cross Examination.

Q. Had you ever been in the deceased's company?

Doxey. No farther than that he came down sometimes for an hour or two, to sit by our fire.

Q. Did he use to call the prisoner his wife?

Doxey. He used to call her his wife, and she call'd him her husband.

Q. Did you ever hear him mention a will, or of his making one?

Doxey. No, never; at first I thought she was his wife, but lately I did not think so.

Q. Have you ever seen these things here produced about the house?

Doxey. I have, and in the prisoner's hand; the watch I have seen the deceased pull out of his pocket, and gold rings on his fingers.

Q. Did she deny having those effects about her?

Doxey. She said I had no right to ask for them.

Q. When you charged her, did she offer to run away?

Doxey. We took care of that, and would not let her; I stood with my back against a little gate, and kept her there till the officer came; I saw plainly that she intended to leave me the deceased to bury, and carry all his effects away.

Q. Do not you know the name he went by?

Doxey. Indeed I do not; he was a well dress'd man, and had a creditable look.

Q. Which of them took the lodgings?

Doxey. He and she together.

Q. Did not every thing seem common betwixt them?

Doxey. Yes.

Francis Gordon. I am a headborough in Kentish town. Mr. Doxey told me when he sent for me that a man was dead in his house, and he did not know but that the prisoner had murdered him, she having kept his death concealed for two or three hours. He desired her to leave the effects there till she went to London, for his security, but she would not. Then I said, I shall take you up on suspicion, for the murder of the man. We had a surgeon to search him, and it was his opinion that the man died a natural death. We took her before justice Welch, who ordered her to deliver up the things, upon finding she was not the deceased's wife, and about two or three hours after she had produced the watch, a table spoon, and a tea spoon, we found the rest of the things upon her, which I have had in my custody ever since.

Cross

Croft's Examination.

Q. Did not she say they were her own?

Gordon. She screamed out, and said, do not shew my nakedness. She owned to me that morning she had two rings, and said she had put them in such a place, but we never could find them.

Q. Did not she go with you willingly?

Gordon. No, but I obliged her to go.

Q. What did she say she had done with the gold rings?

Gordon. She said she had left them in a drawer in the room upstairs, and when we went with the fergeon to examine the body, we went to the drawer, where she shewed us a cap, and said they were in that; but they were not there.

Q. What did she say when these things were found upon her?

Gordon. She said she had no more than what she had produced before. We searched her, and after we had found them, she said nothing.

Acquitted.

[The goods were delivered to Mrs. Somner, the widow of the deceased.]

52. (L.) *Joseph Barwood*, otherwise *Waywood*, was indicted for stealing one diamond ring, value 4l. the property of *Richard Cracraft*, December 18. ||

Richard Cracraft. The prisoner was a footman in my house in the month of December last, and some time before.

Q. When did you discharge him?

Cracraft. I turn'd him away in December, not knowing he had stole any thing at that time, nor till he was taken into custody upon his offering a diamond ring to sale in the Poultry; he was carried before Mr. Fielding, and I and my wife were sent for, where the ring was produced; then the prisoner fell down on his knees to me, confessed he had stole it, and beg'd I would be merciful to him. He was committed to Newgate. (The ring produced in court.) This is my property, I bought it upwards of twenty years ago.

Mrs. Cracraft. I did not know I had lost this ring till I was sent for, for having been ill a great while I never missed it; it is my property.

Thomas Rowland. I am a silversmith in the Poultry; the prisoner came to my shop on the 18th of December last, and offered this ring to me to sell; I asked him whether it was his own, and he said it was; then I asked him how he came by it, and he said it was given him. I asked him then where he lived; he said, will you buy the ring, or will

you not? I said, I ask you a civil question, pray give me an answer. He said, give me the ring. I said, tell me where you live, and I'll go in three or four hours, and if I like it I will buy it. He said, he lived at the Sword and Buckler in Barnaby-freet, Southwark. I went thither, and asked the landlord whether he had lost any thing. He said no. The prisoner said he lived servant at a chop-house in the Old Jewry, but being out of place came there to lodge. I went, and could not find there that they had lost any thing. Soon after the prisoner came in, I took him into a room, where I and a friend of mine asked him where he had the ring. He said it was given him. I desired him to send for the person that gave it to him. Then he said he found it in the last place where he lived (the Red-Lion, at the top of Windmill-Hill, Morefields) on a Sunday, in the dining-room. I went there, and asked the landlady whether that ring was her property. She said no. Then I proposed him his liberty if he would tell me how he came by the ring, that the right owner might have it again on the morrow, and he should go about his business. Then he told me he took it from off a fine lady's finger in Exeter Street. I told him if he had lost one there I should have believed him, but that he could never get one there. After that he confessed he took it from Mr. Cracraft's before he came away from thence, and that he had been come away about a fortnight and three or four days.

Q. Did he say where he took it from?

Rowland. He said he took it from off a table in Mr. Cracraft's house.

Prisoner's Defence.

I found it in the dust hole in the yard, amongst the tub ashes; I happened to say things that I knew nothing of, I am quite innocent of it; being frightened I did not know what I said, I never was guilty before of any thing in my life, I did not know whether it was gold or not.

Guilty.

53. (M.) *Mary Corbitt*, widow, was indicted for stealing one linen sheet, value 3s. the property of *Ann Bates*, December 11. ||

Ann Bates. I live in Drury-Lane, and the prisoner came to lodge at my house.

Q. How long had she lodged at your house?

A. Bates. About three weeks; I lost a sheet.

Q. Did you lose it out of the prisoner's lodging-room?

A. Bates. No, I did not, but out of another room below stairs, at a time when there was nobody in the house but herself; after she was gone I directly went up stairs to look upon my beds, and missed a sheet, so I went out to enquire for her. I saw Charles Jones in Drury-Lane, and enquired of him; he directed me up an alley; we found she was housed; he went into one house and I another; he found her, and I went up after him. She had drop'd the sheet on the landing-place on the stairs. We secured her, and took her before justice Welch, where she was charged with stealing the sheet, and she owned that she did steal it (*the sheet produced in court and depoted to.*)

Q. What do you value it at?

A. Bates. I value it at 10d.

Charles Jones. I was by the Red-Lion door, in Drury-Lane, when the prosecutrix came and asked me if I saw a tall woman come that way, for she had stole a sheet. I said she is gone into one of the houses in Short's Gardens. She went into one house and I into another, and presently the prosecutrix came after me. We found the sheet on the landing-place, up two pair of stairs, and the prisoner in the room above. When we came before justice Welch, she owned she took the sheet.

Prisoner's Defence.

I never was before a justice in my life, I was frightened and did not know what I said; I have no friends, that know any thing of my being in trouble.

Guilty, 10d.

54. (M) Elizabeth White, spinster, was indicted for stealing one woman's cloak, value 1s. one basket, value 6d. and 4s. in money, the property of John Malone, December 1. ¶

Ann Malone. My husband's name is John, he lives in Dice Street, St. Giles's. The prisoner was my servant for 17 days. I was to give her a shilling a week. I had delivered my husband's breeches to her to pawn, to buy fish and a basket with the money, to send her out to sell the fish; she came home and said she had lost the basket; then I was informed she had whored the basket away with a chimney-sweeper. I told her of it, and then she said she would go to the Long Fields and drown herself. She went off with my cloak and basket, and two shillings, and another two shillings that I had trusted her with, which she took out of my drawer.

Q. How do you know that she took it out of your drawer?

A. Malone. There was nobody to take it but she or I. She took the key of my room away with her, and I was forced to get a man to break my room door. She sold the cloak for seven pence, and the basket for four-pence.

Q. How do you know that?

A. Malone. I was going to Newport-Market, and there I saw my basket standing, with my own name upon it, at a door. I went and got a warrant of justice Welch, and when I came there again my basket was gone. Then I and another that was with me called for a pennyworth of sprats at that house, but the sprats were emptied out of my basket into another, and the prisoner came up out of the cellar in my cloak. I said, how came you by this cloak? She said, you old bitch, what is that to you. I said to the constable that was with me, if that cloak is mine, it is moth eaten at the bottom of it. Then we searched, and found my basket under the stairs in the cellar, so we took her before the justice, where she owned she had sold the cloak for seven-pence, and the basket for four-pence. She and her friends quarrelled before the justice, and after that one got a warrant for one, and another for another; but however they all got away.

Q. Did she own the taking of the money out of the drawer?

A. Malone. She said she did not see the money. I told her to give me the key, but I could not get it. She said she took the key, and went in and got her dinner, and lock'd the door after her, and left the key under the mat, but I know she took it away.

Q. How do you know that?

A. Malone. Because it was seen in her pocket a fortnight afterwards.

Q. Did you lend her the cloak and basket?

A. Malone. I did. She put my cloak on, and took the basket with her to go to Bilinggate to buy fish.

The prisoner said nothing in her defence.

Acquitted.

55. (L) Lucretia Saunders, wife of ——— Saunders, was indicted for stealing two pair of mens shoes, and one pair of womens shoes, value 10s. the property of John Knight, privately in his shop, December 12. ¶

John Knight. The woman at the bar came into my shop to buy a pair of shoes; I was sitting in my compting house, and saw her come in; my lad came to me after she had been there a little time, and told me that another of my servants said the

P

prisoner.

prisoner had put a pair of shoes into her pocket. I went into the shop. She bought a pair of shoes and paid for them. She was very difficult, and was well dressed. I let her go out of my shop. Said the lad, shall not we call her back? I said, are you sure she has got a pair? He said, I am sure she has, I saw her put them into her pocket. Then I said call her back. He went to her, but instead of coming back she endeavoured to get away from him, so he called out for help. I was at the door, and went and laid hold of her arm.

Q. How far was she got from your house?

Knight. She was about two doors from mine. Then she threw herself upon the ground, got her hand into a great pocket that she had, pulled out two pair of mens shoes, and dropped them on the ground. I took them up and still lug'd her along, and said she should be searched. We brought her in, and in my back warehouse she said, you shall not search me; I will not be searched by a man. Said I, the women shall search you. Then she got her hand into her left-hand pocket, and pull'd out a pair of womens shoes. [The shoes produced in court, and deposed to.]

Thomas Hildrop. The prisoner at the bar came into our shop on the 12th of December last, about the dusk of the evening; I was upstairs at dinner, and only my fellow servant below to serve; he called me down, and said privately, look sharp after this woman, she seems to be very difficult. She had tried on a shoe; I put my hand on the toe, and it fitted her well: In my stooping I had my eye up under her cloak, and saw she had something under it. I went in and said to my master, that woman has certainly got some shoes. My master came into the shop, and we were all about her some time. After she had bought a pair, I told my master I was positive I saw her put something into her pocket, so he bid me go after her. I went to her in the street, and said, mistress, you have got something that is not your own, and asked her to come back; but she endeavoured to get away from me. I called to my master, and he came to me. Then she flung herself all along the ground, took out two pair of mens shoes, and flung them in the street. We took her into our back shop, and there, while my mistress was searching her, she huddled a pair of womens shoes out. These shoes here are the same which she had taken, and are my master's property.

Prisoner's Defence.

I was in liquor, and really do not know what I

did; I have four children; and I hope you will have compassion on them.

For the Prisoner:

Prudence Lytball. I have known the prisoner sixteen years.

Q. What is her general character?

P. Lytball. Never nothing but a hard-working, honest woman; she lodged six years in my mother's house, in her first husband's time.

Q. How did she get her living?

P. Lytball. She took in a little washing, and worked at her needle. Her first husband was a copper-smith, and her husband which she has now belongs to the Keys. I have been backwards and forwards at her room for these sixteen years.

Hannah Godfrey. I have known her these ten years.

Q. How has she behaved?

H. Godfrey. I never knew any ill of her in my life, to wrong any body, till now.

Susannah Johnson. I have known her about nine years, down to this time.

Q. What is her character?

S. Johnson. Her character in Bishopsgate parish has been very good: I never heard to the contrary.

Sarah Sheffield. I have known the prisoner almost six years, and she is a very honest, endeavouring woman; she was left a widow with four children, and is now married again.

Guilty, 4s. 10d.

56. (L.) Margery Cardley was indicted for stealing one silver watch, value 3l. one seal, value 1s. and one other seal, value 1d. the property of Thomas Macdonald, December 27. †

Thomas Macdonald. On the 27th of December last I lost a watch.

Q. How did you lose it?

Macdonald. I do not know how I lost it.

Q. Where did you lose it?

Macdonald. I lost it in the tap-room, at the house of Francis Egan, at Saltpetre Bank.

Q. Do you know who took it?

Macdonald. No, I do not.

Q. Was you drunk or sober?

Macdonald. I was sober, to the best of my knowledge.

Q. Are you sober now?

Macdonald. I am.

Q. Was you as sober then as now?

Macdonald.

Macdonald. I was sober when I lost it.

Q. Was you drunk soon after?

Macdonald. No, I was not.

Q. Why do you charge the prisoner?

Macdonald. The watch was stopped by Higham Levi, and so I came by the knowledge of it.

Higham Levi. Last Friday was three weeks, between twelve and one in the day, the woman at the bar came selling apples; said she, will you buy a watch?

Q. Where did she come to you?

Levi. To my house in Duke's Place. I said, let me look at it; she shewed it me. I asked her what she ask'd for it. She said forty shillings. I asked her how she knew it was worth forty shillings. She said, what will you give for it? will you give thirty shillings? I said, I do not know whether I will or not, how did you come by it? She said, it belonged to her husband. I said, I must stop the watch and you too, till you give an account how you came by it. I brought her before my Lord-mayor, and there she said her husband was dead. My Lord bid me to inquire who owned the watch. Mr. Egan, hearing I had stopped a watch, came and inquired about it, and said it belonged to his tapster. Then the prosecutor came and told me all the tokens of the watch before I shewed it to him.

Q. Were there any seals on it?

Levi. There were two. [The watch produced in court, and deposed to by the prosecutor.]

Q. to prosecutor. What are you?

Prosecutor. I am drawer to Mr. Egan.

Q. from the prisoner to the prosecutor. Whether I did not send you word that I had your watch, and that it was stop'd at a Jew's?

Prosecutor. After the watch was stop'd I went to the prisoner's room, but she had made off, and I could not see her.

Q. Was she in the tap room at the time your watch was lost?

Prosecutor. She was drinking there then; but she was gone when I went to her, and I did not see her till I went before my Lord-mayor, after I heard my watch was stop'd.

Francis Egan. I have known the prisoner fifteen or sixteen years. The prosecutor is my servant, and was drawing beer at about a quarter before ten o'clock; some of the people asked what o'clock it was, when he pull'd out his watch, and said it was about a quarter after ten; he put it in his pocket again, as I believe, being very sober; after that, he came and told me he had lost his watch, so I insisted upon it that nobody should go out of my house till

they were searched. I searched, but found nothing. After the watch was stop'd, a woman came and told me the prosecutor should have it again, provided I would not hurt the prisoner. Then I desired her to bring the prisoner to me, but she was gone; however, I found her in a little room in Cross Lane, and brought her before my Lord-mayor, when she said she found the watch in the tap room.

Prisoner's Defence.

I found the watch by the street door. I went to the Jew's house, and after that I was told by a woman that it was the prosecutor's watch. I thought the right owner was the properest person to have it, but it was the Jew's sabbath (Saturday) and I could not get it, so I sent a woman to the prosecutor to tell him it was his watch, and that I would go along with him to the Jew, and he should have it.

For the Prisoner.

Luke Collins. I have known the prisoner about seven years; she lodged with me about four years.

Q. What is her character?

Collins. I have trusted her in my shop and never lost a halfpenny by her, and I have left her to receive money for me.

Hugh Macdaniel. I have known the prisoner about two years.

Q. What is her general character?

Macdaniel. I never heard any thing of her in my life but that of an honest endeavouring woman; she has work'd several times for me, and did my business very honestly; I never found any dishonesty by her.

Guilty.

57. (L.) *Elizabeth Turner* was indicted for stealing eight handkerchiefs, in one piece made of silk and cotton, value 10s. the property of William Garfed, Nov. 23.†

William Gunston. On Friday the 23d of November the prisoner came to my master's shop for sundry things, to the amount of 2s. 3d.

Q. What is your master's name?

Gunston. William Garfed; he is a haberdasher on Ludgate Hill. I shew'd her a variety of handkerchiefs, and she looked over several of them; she was looking at some South-sea handkerchiefs.

Q. What are they?

Gunston. They are made of silk and cotton. Just at the same time a person came in, and while I was talking to him the prisoner moved to another part of the counter. I looked at her, and saw her hand move

move under her cloak. She immediately pitched upon a handkerchief, asked the price of it, and bid me cut it off. She turned round, in order to take her money out to pay me, and I saw something stick out in a bulge. She went out of the shop and I after her, and I saw her as she was stooping put something into her petticoat. I took her back, and said she had got something that was not her own. She fell down on her knees, and desired I would have compassion on her. I sent for my master, and we took her into our back warehouse and examined her. She pleaded guilty, and desired my master not to prosecute her, saying she could send for no friend that would appear for her.

Q. Did you find the handkerchiefs?

Guilty. We did, she had kick'd them down on the ground (produced in court, and deposed to as his master's property.)

Q. How kick'd them on the ground?

Guilty. She dropped them on the ground when she was brought into the shop again, and immediately fell down on her knees, and said, she hoped I would forgive her, for it was the first fact she ever committed, and I heard her confess the same to my master. She was very big with child, and has since been delivered in prison.

Prisoner's Defence.

I have nobody to appear for my character, being taken at a non-plus.

Guilty.

58. (L.) *Jesse Dixon* was indicted for stealing 13lb. and a half of a certain composition in glais, commonly called paste, the property of *John Hopton*, *Thomas Hanson*, and *Carey Stafford*, Sept. 1. ||

John Hopton. I am a glais-maker.

Q. Have you any partners?

Hopton. Yes; *Thomas Hanson* and *Carey Stafford* are my partners.

Q. Where is your manufactory carried on?

Hopton. At a glais-house in *White Friars*. The prisoner at the bar was my servant till the latter end of August last, when I was informed there was a great deal of paste offered about the town to sell cheaper than I sell it. I examined my paste, and missed about two hundred weight. I let the thing lie for some time, although the prisoner was the person that I suspected. About the middle of December *Mr. Carroll*, a jeweller on *Ludgate Hill*, told me that *Mr. Farmer*, at the *King's Head* alehouse, *Clerkenwell*, had offered him some at a shilling a pound. (He is one who works in

that way.) I went to *Mr. Farmer's* house, and there saw about a quarter of a hundred at least. I brought away 13lb. and a half of it, which I am positive is mine. It is a new invention, that I have been at some expence to bring to perfection, and now I am deprived of the benefit of it. I asked *Farmer* who he bought it of, and he said he bought it of the prisoner at the bar. I took the prisoner up on the 18th of December, and carried him before justice *Fielding*. The justice examined *Farmer*, who said he bought it of the prisoner, and *Dixon* acknowledged he had received money of *Farmer*; he also said I allowed him the liberty to take a little for his own private use.

Q. Did you ever allow him any for his own private use?

Hopton. Upon my oath I never did, neither have any of my partners.

Prisoner. My master used to allow me to carry this glais to people, to see how they liked the colour of it, and I took a little more than I should do.

Hopton. I do not remember that ever I sent him with any of this glais. I did send him with a sort of glais which we call cane.

Prisoner. I never sold any in my life.

John Farmer. I had some of this glais of the prisoner at the bar.

Q. How much?

Farmer. I can't tell how much.

Q. When had you it?

Farmer. I can't rightly tell the time.

Q. Do you work in that way?

Farmer. I do a little in the common way of glais blowing, but nothing in the paste way. The prisoner brought several pieces to try at my house, so has *Mr. Hopton* himself, and he has taken a stone of it back to shew the colour.

Q. Did the prisoner use to say he was sent with it?

Farmer. He said that his master sent him with it.

Q. Did not you buy some of him?

Farmer. I gave him half a guinea.

Q. For what?

Farmer. He said he brought three or four pound at different times, and I said here is half a guinea for you to drink.

Q. Was it not for bringing that glais to you?

Farmer. He brought it to be sure.

Q. Did not you give him the half guinea for the glais which he brought?

Farmer. To be sure I did; *Mr. Hopton* says the prisoner brought near a quarter of a hundred to my house: It is a very hard matter to swear to any.

Q. What say you to that thirteen pound and a half, which Mr. Hopton says he brought from your house?

Farmer. I do not think I had thirteen pound weight of the prisoner, but I was not at home when he took it away.

Q. How much had you of him?

Farmer. I do not know; I never weighed it.

Q. Do you think you had one pound?

Farmer. Yes, I believe I had.

Q. Do you believe you had more than two pounds?

Farmer. I believe I had.

Q. Do you believe you had more than four pounds?

Farmer. I believe I had.

Q. Do you believe you had more than five pounds?

Farmer. I believe I had not above that. Mr. Hopton has himself brought some of the same sort of stuff to try, when he has made a fresh pot of glass or paste.

Q. When the prisoner brought this, did not he tell you where he had it from?

Farmer. He said his master sent it to be tried.

Q. How came he to leave it?

Farmer. When they bring it, they never carry it back again.

Q. What did you give him the half guinea for?

Farmer. When he said he had brought the value of four or five pound, I said here is half a guinea. He said his master sent it to have it tried, and to leave it when he brought a piece.

Q. to Hopton. Did you ever go yourself to try any of your glass at Farmer's house?

Hopton. I believe I have, but I never sent Dixon there with any of this sort of paste, and I believe I never went with this paste there: I believe it was the common glass, called cane, which I sent and carried there; some of these pieces weigh about five pounds a piece.

Farmer. I was an ignorant man when I was first drawn in, and now I suffer for it; it was not worth so much to me, for I never made any use of it: I use nothing but in the common way.

Q. Upon your oath, what do you take it to be worth a pound?

Farmer. It may be worth half a crown or three shillings a pound; I buy for a shilling a pound that which answers my end as well as that, of Mr. Hopton.

Prisoner. When I carried some to try, I carried

a piece bigger than ordinary and gave him, for which he gave me half a guinea, and I thought it was six-pence.

Q. to Farmer. Did you tell him what money you had given him?

Farmer. I told him it was half a guinea. I said, here is half a guinea for you.

Cross Examination.

Q. Did you ever buy any glass of any body else besides the prisoner?

Farmer. Yes, several times.

Q. Did not you say before the justice, you had bought of so many people, that it was impossible to say who you had each piece of?

Farmer. I have dealt with a great many people to be sure.

Hopton. (The glass paste produced in court.) This is our property.

Q. Are you certain of it?

Hopton. I am. There is nothing of the kind in town besides what I make.

Q. Have you not sold some of this kind?

Hopton. I have never sold a pound of it.

Q. How much is there of it?

Hopton. Here is thirteen pound and a half of it; I made it but in June last.

Q. to Farmer. Upon your oath, where did you get this paste?

Farmer. I had some of it of the prisoner, but I cannot say which piece. I believe I had some of the green of him, but I cannot say this is the same.

Q. Did you buy any green paste of any body else?

Farmer. Yes.

Q. Where?

Farmer. I have had green paste from over the water.

Q. to Mr. Hopton. What is this paste worth?

Hopton. This is worth two pounds twelve shillings; I value it at four shillings per pound: I brought nothing away from Farmer's but what I am positive to. I left a great deal behind me than I believe to be mine.

Mr. Alexander. I am a neighbour to Mr. Hopton, who called upon me to go along with him to search Farmer's house for this glass. Mr. Farmer has not been so candid in this affair as he ought to have been; he gave full proof before justice Fielding of this affair: We took him in custody, having found a large quantity of paste in his house; there was some

Q

purple

purple paste in his house that was sworn to be Mr. Hopton's property, it was known by its having some miscarriage in the melting pot, which brought it home to be Mr. Hopton's property. Farmer at that time did acknowledge that he bought that identical piece of paste of Jesse Dixon at the bar; he said he gave him rum and water, and half a guinea, and then Dixon acknowledged he received half a guinea in gold of Farmer for this paste.

Q. Did the prisoner acknowledge his taking of it?

Alexander. He there said his master sent him out with it to have it tried, and that he took more than his master gave him leave to take.

Q. to Farmer. What did you say before justice Fielding about rum and water?

Farmer. The prisoner had 3 six-pennyworths of rum and water.

Q. Did you give him that?

Farmer. I did.

Q. Was there no particular piece of glass, which you swore to before justice Fielding, that you had of the prisoner?

Farmer. I swore I had some green paste of him.

Q. Did you swear any of this is it?

Farmer. I believe it may be it.

Q. Did you or did you not swear to a particular piece of green paste which you had of the prisoner?

Farmer. Yes, I did; but this is not the piece I believe.

Q. Look at this particular piece. (He takes it in his hand.)

Farmer. It was this piece that I had of the prisoner.

Q. to Hopton. Are you sure that this particular piece is yours?

Hopton. (He takes it in his hand.) I am sure it is.

Q. to Farmer. How came you to remember a particular piece, when you say you have dealt with so many others of Mr. Hopton's servants?

Farmer. Mr. Hopton's clerk has brought me some to try.

Q. Have you ever bought any of him?

Farmer. No, I never did.

Q. Did you ever buy any paste of any other of Mr. Hopton's servants besides the prisoner at the bar?

Farmer. No. I purchased a great deal of Mr. Hopton himself.

Q. What paste?

Farmer. I have had no paste but what I had in this way.

Q. How much paste did the other clerk bring to try?

Farmer. A little piece.

Q. Did you ever give him any money?

Farmer. No, I gave him no money at all.

Prisoner's Defence.

I took a large piece, bigger than ordinary, and he gave me a piece of money which I thought was a six-pence, saying, here is something to drink; which I thought a little odd. I would have paid for some rum and water, but he would not let me; and looking at my money in the morning, I found it to be half a guinea.

Q. to Farmer. Did you ever agree with the prisoner at so much a pound?

Farmer. No.

For the Prisoner.

Mr. Straw. I am a staymaker, and have known the prisoner 16 or 18 years.

Q. What is his general character?

Straw. He is a very honest young fellow as ever I knew, and I never heard a miss word of him before; I never was so surpris'd in my life as when I heard of this affair. I believe that nobody, to do him justice, can give him an ill word.

Mary Wooton. I have known him I believe a dozen years. I have been a housekeeper twenty years in White-friars, and never heard any thing amiss of his character before now.

Q. What is your business?

M. Wooton. My husband is a carpenter, and free of the city of London.

Mrs. Eastern. I am a publican; the prisoner is a tenant of mine, and I look upon him to be a very honest man.

Q. How long have you known him?

Mrs. Eastern. I have known him but a short time, but have had a good character of him from people of credit.

Guilty.

59. (L.) Joseph Cedar was indicted for stealing one pair of silver shoe buckles, value 10s. the property of Robert Parr, in the shop of the said Robert, privately, Sept. 24.†

Lucy Slade. The prisoner came into Mr. Parr's shop, and desired me to shew him some silver buckles. I shew'd him some, and he chose out a pair, desiring to know the price of them. He stood at the

the door some time to look at them, then put them into his pocket, and went away with them.

Q. What do you value the buckles at ?

L. Slade. Eighteen shillings.

Q. Where were the buckles before ?

L. Slade. They were in a shew-glass at the window ; when he was gone, I went out from behind the counter and cry'd stop thief ; our maid pursued him, and he and the buckles were brought back again.

Q. Was he in your shop, when you delivered the buckles to him ?

L. Slade. He was. Then the people carried him to the compter.

Q. What are you ?

L. Slade. I am niece to Mr. Parr.

Q. Do you serve in the shop ?

L. Slade. I have served in the shop these six years.

Q. Where are the buckles ?

L. Slade. Mr. Bedford the constable has them.

Sarah Allen. I am servant to Mr. Parr, and was in the shop when the prisoner came in to buy a pair of buckles. I saw Miss Slade weigh them. The prisoner took and looked at them, put them into his pocket, and ran away. I ran after him, he was taken and brought back, and the buckles were found in his possession.

John Cooper. I was at the corner of St. Paul's Churchyard, going into Paternoster-row, when the last evidence cried out stop thief. I saw the prisoner running, so I ran after him ; he was going to go down Paternoster-row, and I laid fast hold of him.

Q. Where is Mr. Parr's shop ?

Cooper. In St. Paul's Churchyard ; I was told he had stole a pair of buckles, and asked the prisoner if he had got them ; he said he had them in his coat pocket. The mob came about, and I delivered him to their care.

Samuel Jenkins. I heard the cry of stop thief, and ran to help to take the prisoner ; when he was taken, he delivered the buckles into my hand (produced in court.)

Q. to L. Slade. Look at these buckles.

L. Slade. These are the buckles I weighed at his request, and which he ran away with.

Q. Whose property are they ?

L. Slade. They are the property of Mr. Robert Parr.

Prisoner's Defence.

I leave it to your Lordship and the court. I hope

you'll let me have the pleasure to serve his majesty, having been to sea, and am but thirty-two years of age.

Guilty, 4s.

60, 61. (L.) James Blackmore, and Thomas Rowley, were indicted for stealing one firkin and a half of butter, containing eighty four pounds, value 36s. the property of Thomas and William Shakspeare, Dec. 15. ||

Henry Andrews. The two Mr. Shakspires are cheesemongers.

Q. Have they any other partner ?

Andrews. No.

Q. Where do they live ?

Andrews. They live in the Broadway, at St. Giles's.

Q. What do you know against the prisoner, or either of them ?

Andrews. I saw James Blackmore take a firkin of butter from Smart's Key, and run up the gateway with it.

Q. When ?

Andrews. On the 15th of December. When he came to the top of the gateway I saw him run, so I ran after him, which he perceiving, threw it from off his shoulder and ran. I called stop thief, and he was taken. We carried him before my Lord-mayor, where he was asked how he came to take it. He said a man bid him take it.

Q. What do you know against Rowley ?

Andrews. I know nothing of him.

Henry Barnes. Some time after Blackmore was taken I came up, and heard him own he had taken the firkin of butter. I asked him if he knew any thing of a half firkin that we had lost, and he said he knew nothing of it.

Q. Where was this ?

Barnes. This was at an alehouse where he was taken, on the 15th of December. Before we went before my Lord-mayor he owned he took the butter that he was carrying away, from Smart's Key, and I knew it to be Mess. Shakspeare's property by the mark.

Q. What is a firkin of butter worth ?

Barnes. It is worth twenty-four shillings.

Q. Was you with him before my Lord-mayor ?

Barnes. I heard him own the same there, but it was an alderman, my Lord not being there. He told me Rowley and he were concerned in taking it, and gave me information of half a firkin that we had lost on the 5th of December. I got a search warrant, and went, by his directions, and searched

searched a house in Westminster, and there I found the tub, but the butter was gone.

Q. At whose house was it?

Barnes. It was at a chandler's shop in the Broadway, Westminster.

Q. How do you know it to be the same tub?

Barnes. I can swear that to be Mess. Shakspeare's tub by the mark. The woman that keeps the shop said she bought the butter of three soldiers. [The two prisoners were soldiers.] Then I went and took Rowley in St. James's Park, who at first, upon being charged with stealing the butter, said he knew nothing of it; but at last he owned he was at the selling of it, and had half a crown of the money.

Q. Did he own the taking of the butter?

Barnes. No, he did not; but said he was with Blackmore and Taylor. [Taylor is another soldier, not taken.] Rowley said they had all three half a crown each. Blackmore had told me that they were all three concerned in taking the butter.

Q. Did he say when they took it, and from where?

Barnes. He said they took the half firkin on the 5th of December, from off Smart's-key, and sold it in the Broad-way, Westminster.

Henrietta M^cGillery. I keep a chandler's shop in the Broad-way Westminster; I believe it was Blackmore that brought a half firkin of butter to me.

Q. Did he come alone?

H. M^cGillery. There were 2 men along with him; they told me they found the butter in St. George's-fields, and that they imagined it rolled off a cart coming from the city.

Q. Did you buy it of them?

H. M^cGillery. I did.

Q. What did you give them for it?

H. M^cGillery. I gave them seven shillings and six pence.

Q. How much was there of it?

H. M^cGillery. Twenty-eight pounds.

Q. Do you know how they divided the money?

H. M^cGillery. I can't say any thing of that.

Q. From Blackmore. Who sold you the butter?

H. M^cGillery. To the best of my knowledge you did, and took the money.

Blackmore's Defence.

I did not sell the butter to this woman; I and Thomas Rowley had agreed to take that other firkin of butter, and go and sell it.

Rowley was not called upon to make his defence. Blackmore guilty. Rowley acquitted.

62, 63. (M.) Alexander Gater and John Stoaker were indicted for stealing one hundred weight of ship tackle, called rope and junk, the property of John and Robert Batson, and one hundred pounds of other ship tackle, and iron thimbles and hoops, the property of persons unknown, December 27. †

John Batson. I have known the two prisoners at the bar these dozen years.

Q. Have you any partner?

Batson. My brother Robert is my partner. I was going round our yard, where was John Taylor, a master smith, landing an anchor.

Q. When was this?

Batson. This was on the 27th of December last, about seven in the evening.

Q. What yard is yours?

Batson. A ship yard. Taylor asked me whether I had given liberty for any body to take some old ropes that were ship'd off, I answered no, then I met with the prisoner Gater.

Q. What was he?

Batson. He was a labourer in the yard. I asked him where he had been, and he said in the yard, about my business. Then I was angry with Taylor for letting any thing go out of the yard. Said he, let us take a boat, it is a hundred to one but we find them. It was just about high water. I walked up along shore near Limehouse-bridge, and went into the house of Ann Lee, a person that buys old rope and junk of a parcel of thieves, where I saw the two prisoners, one of them was in the house, the other was bringing the last parcel of ropes to Ann Lee's house.

Q. Was the rope ship'd do you think, when you met Gater in the yard?

Batson. I do not think it was. Mrs. Lee was weighing the rope which they had brought in, her servant and Gater were at the scale.

Q. How much did the whole of it weigh?

Batson. It weighed four hundred and seven pounds. Stoaker put the parcel he was bringing into the scale; that is what we call three hundred and three quarters.

Q. What might that be worth?

Batson. She was to give them half a crown a hundred for it, as she told me.

Q. Is that the common price, new or old?

Batson. They include all in paper stuff.

Q. Did you challenge it?

Batson.

Batson. I did, and charged an officer with the two prisoners; the woman sent her servant for him.

Q. Was all the rope your property?

Batson. Some part of it was, and some of it belongs to merchants, which is laid to be the property of persons unknown.

Q. How much of it was your's?

Batson. About a hundred weight of it was, it was mixed; it was rope and junk hooks, thimbles, and the like, all called ship tackle. I should have given Gater the rope, if he had asked for it in the middle of the day; but I wanted to find out the buyer, for I lose near fifty pounds a year by such a pack of thieves. I should be glad to recommend the prisoners to your Lordship for mercy; I believe they are capable of serving his majesty.

Q. Is it customary for your labourers to have the old ropes?

Batson. We give them to them upon their asking for them.

John Taylor. I have known Gater about ten years, and the other about six or seven; I live in Mr. Batson's yard.

Q. What yard is it?

Taylor. It is a ship builder's yard; they are ship-builders: I happened to be going down to the water-side to take an anchor on shore.

Q. What time?

Taylor. On the 27th of November, betwixt six and seven o'clock at night, a little before high water. I saw two bundles of rope lying, and a parcel in a wheelbarrow. I heard somebody call *Ellick*, and somebody answered; but they being under the shadow of the warehouse, I could not see them. I saw a man in a boat, into which somebody threw a bundle or two.

Q. Did you see who threw it in?

Taylor. No, I could not see that; I took it to be the two prisoners at the bar, but I cannot swear that. In about a minute's time Mr. John Batson came down to the water-side to me: I said to him, have you given any body liberty to take any ropes out of your yard? He said, no, and began to be very angry with me for not stopping of them. I said, there lies some in the yard, they are not gone. He went to see, and then they were gone. He came back to me, and said, I'll go and see if *Ellick* is gone through the tap-house. I had then got my anchor on shore. Then he and I went together to Limehouse Hole, but could not get a boat, so we walk'd up to Mrs. Lee's, and went through her house into her warehouse, where she

was holding a candle to *Ellick Gater*, who was putting a bundle into the scale. I saw *Stoaker* come up out of his boat. We charged them both with taking the ship tackle out of Mr. Batson's yard, and they both owned it.

Q. Do you mean the same which you found in the scale and on *Stoaker*?

Taylor. I do.

Ann Lee. I buy old stuff. Alexander Gater brought three hundred and a quarter of old stuff to my back door, but I neither weighed it nor paid for it. The gentlemen came, and Mr. Batson owned it; he came before it was all brought in.

Q. Did Alexander Gater bring it all in?

A. Lee. No. *Stoaker* brought up the last bundle.

Q. How many bundles was it brought in?

A. Lee. It was brought in two or three bundles; it was nothing but paper stuff.

Q. What do you give a hundred weight for such stuff?

A. Lee. I give half a crown a hundred for it; it is to make paper of.

Gater's Defence.

This stuff belongs to me; I brought it and laid it down upon the wharf, where it lay all day, till about six o'clock next evening; it is my right and property, as is all such stuff in ship yards, to all the labourers in the river; it was nothing but old rubbish. I went and called John *Stoaker*, and asked him if he could help it off for me. He said he would do it with all his heart, if he should not come into trouble about it. I said, it is nobody's but mine, and he could not get into trouble on that account. Then he said he would carry it for me. We carried it to Mrs. Lee's, and to the best of my knowledge there was no more than three hundred weight of it. I was about half a year in gathering of it together, and there was nothing among the rope but what was bad rotten stuff.

Stoaker's Defence.

This man [meaning the other prisoner] came to Mr. Peirce's, and said to me, John *Stoaker*, will you go and carry my stuff for me? I said, with all my heart, if I do not get myself into any troubles for I would not get into trouble for all the world. He said the stuff intirely belong'd to him and nobody else. I have witnesses that heard him say these

words. I have here the man that I served my time with, and another man that I work'd for between seven and eight years, to give me a character.

For the Prisoners.

Richard Jennings. I have known Gater seven years.

Q. What is his general character.

Jennings. He has lodged in my house six or seven years; I never knew any dishonesty by him in all my life, he always paid me honestly; I never heard any ill of him before this, and a little affair one time before.

Q. Do you know Stoaker?

Jennings. I do; he was employed as a waterman. On the 27th of November last I was at Mr. Peirce's house, where there stood *Ellick*, who said to Stoaker, will you go along with me. Stoaker said, if he came into no trouble he would. *Ellick* told him it was only to carry some old rope, his property, and he could not come into trouble for that. Then he went with him.

George Spencer. I have known Gater about eight years.

Q. What is his character?

Spencer. I never knew any thing of him but that of an honest man.

Q. Do you know Stoaker?

Spencer. I do; he is a very honest man, I never knew otherwise by him.

William Peirce. I have known Gater eight or ten years.

Q. What is his character?

Peirce. I never heard any bad character of him in my life.

Q. Do you know Stoaker?

Peirce. I do; I have known him twenty or thirty years, as many years as I can remember; he is a very honest man, and was employed as a waterman to carry this stuff.

Thomas Blunt. Stoaker served me many years; he is a very honest man. I never believed he rob'd any body or me either, and he always bore a good character. I took him out of Poplar school, and he served me very honestly.

Q. Do you know Gater?

Blunt. No, I do not.

John Cudde. I have known Stoaker ever since he has been born.

Q. How old is he?

Cudde. I believe pretty near thirty years of age.

Q. What has been his character?

Cudde. He always bore a good character; he served his master honestly.

Gater guilty 10d. Stoaker acquitted.

64. (L.) *Ann Allen*, spinster, was indicted for stealing a silver watch, value 3*l.* five guineas, and five shillings and six-pence, in money number'd, the property of John Milward, privately from his pocket, December 28. ||

John Milward. I am a coachman. On Friday the 28th of December, I lost my watch.

Q. What time of the day?

Milward. I do not know what time exactly.

Q. What time did you miss it?

Milward. I missed it when I awaked.

Q. What time did you awake?

Milward. It may be about 11 or 12 at night.

Q. Where was you?

Milward. I was in Alientree-court, White-friars.

Q. How came you there?

Milward. I was pick'd up by a young woman in the street.

Q. Was you sober?

Milward. No, I was in liquor.

Q. Who is that young woman that pick'd you up?

Milward. I do not know, but she took me to her lodgings.

Q. What time was you pick'd up?

Milward. It might be between 6 and 7 at night.

Q. Should you know that young woman if you saw her?

Milward. I do not know that I should.

Q. Are you sure you had your watch and money at the time you was pick'd up?

Milward. I am sure I had.

Q. Had you them when you went into the lodging-room.

Milward. I did not see my watch and money in the lodgings, but I had them before I went into the room.

Q. Are you sure you had them when you was pick'd up?

Milward. I am sure I had them when I went along with the woman.

Q. What sort of a watch was it?

Milward. It was a silver watch.

Q. What money had you?

Milward. I had five guineas, half a crown and three shillings.

Q. Was the woman by when you awaked?

Milward. No. I was left in darkness; there was neither the woman nor any body else in the room.

Q.

Q. What did you do upon finding yourself in that situation ?

Milward. I knock'd, and there came up a young man with a light, who lighted me down. I inquired if he knew the young woman who brought me there. He said he did, and gave me an account of her name, but it was quite wrong.

Q. What was he ?

Milward. He lodged in the room below.

Q. What is his name ?

Milward. I don't know.

Q. Where did he direct you to find her ?

Milward. He went along with me to look for her, first to the Bolt and Tun Inn, and then to the King's Arms, the top of the Fleet market.

Q. Did you find the young woman ?

Milward. No, we did not.

Q. Did you ever get your watch again ?

Milward. No.

Q. Who had the watch ?

Milward. The woman that was along with me.

Q. Who is she ?

Milward. I don't know her.

Q. What have you to say to the prisoner ?

Milward. I cannot swear to her, neither will I.

Q. Have you any thing to say to the prisoner at the bar ?

Milward. I have no more to say against her than what I have said.

Q. Did you ever hear her confess she had your watch ?

Milward. No, never.

Abraham Abrahams. This young woman at the bar and two other young women sent for me to a publick house on the 29th of December last.

Q. Who were the other two ?

Abrahams. They were discharged.

Q. To what house did they send for you ?

Abrahams. To the Taylors Arms, in Duke's Place.

Q. Where do you live ?

Abrahams. I keep a watchmaker's shop in Duke's Place. A man came in and told me, that three ladies wanted to speak with me at that house. I was surpris'd at three ladies coming there, it being but a very poor house. I went thither, and saw the prisoner and two other women. I asked whether any of them had sent for me. They were drinking of punch, and said I was not the person they sent for, but I might do as well. I asked what to do, and they told me they had a watch to dispose of. I asked them to let me look it, and they produced it.

Q. Which of them produced it ?

Abrahams. They shuffled it so from one to the other, that I don't know which it came from, but the prisoner claimed it. I asked her what she must have for it, and they said three guineas. I said it is the wrong day (it happened to be on the Saturday, which is our sabbath) I cannot buy it to day. They said, we deal with your people, they don't mind what day. I seeing there were three of them, and that they came in a hackney coach, said, come to my house, we'll see if we can do any business. When I had them there, I got a constable, and told them I suspected they did not come honestly by it. I took them all three before my Lord-mayor, who committed them all, and ordered me to advertise the watch, which I did, and the coachman came and claimed it.

Q. What did the prisoner say before my Lord-mayor ?

Abrahams. She said she did not take the watch from the prosecutor, but found it on the bed after he was gone.

Q. What did she say to you about it, when she wanted to sell it to you ?

Abrahams. Then she said it was her husband's.

Q. Did she confess before my Lord-mayor, that she had been in company with the prosecutor ?

Abrahams. She did.

Q. to prosecutor. When the candle was brought up stairs to you, did you look for your watch ?

Prosecutor. I did.

Q. Did you look upon the bed ?

Prosecutor. I did, and under the bed.

Q. Where is this young man that brought the candle up ?

Prosecutor. I do not know.

Q. Could he take up the watch at that time, without your seeing him ?

Prosecutor. No, he could not.

Q. Where was your watch when you was in bed ?

Prosecutor. That was in my breeches.

Q. Was you dressed when the young man came up ?

Prosecutor. I was : I dressed myself in the dark.

Q. Do you think the watch might not drop out when you was dressing yourself ?

Prosecutor. No, it could not, but I must have heard the sound of it.

Q. Are you sure you had your watch in your pocket in that room ?

Prosecutor. I am sure I had it when I went up into the room.

Q.

Q. Was it not in your pocket when you went to get up?

Prosecutor. I am sure it was not then in my pocket.

Q. Is it not likely it might drop out when you went to go to bed?

Prosecutor. It never used to drop out.

Prisoner's Defence.

Whether my prosecutor did not say before my Lord-mayor, that he was knock'd down, and rob'd of his watch by Oliver Mount?

Q. To prosecutor. You hear what the prisoner says, what answer do you give to it?

Prosecutor. I did tell my Lord-mayor so.

Q. Why did you say so?

Prosecutor. Because my master should not know how I lost it?

Prisoner. He swore that.

Prosecutor. I did not; I only swore to my watch: I told my Lord the truth of it afterwards.

Q. Who is your master?

Prosecutor. I live with Mr. Decure, of Hackney.

Acquitted.

65. (M) Elizabeth Warner, otherwise Betty, single woman, was indicted for that she, on the 28th of November, was big with a certain male child, and afterwards was privately and secretly delivered, by the providence of God, of that child alive, which, by the laws of this land, was called a bastard, and as soon as it was born, she, feloniously, wilfully, and of malice aforethought, with both her hands, did throw into a certain necessary house, by which means she, the said male child, did kill and murder; the likewise stood charged on the coroner's inquest for the said murder.

John Whitman. I am a nightman, and found a child in a privy belonging to Mr. Welch, in Plough-street, near Red-lion-square.

Q. When?

Whitman. On the 29th of November last. I remember it was on the thanksgiving day.

Q. Was it a male or a female?

Whitman. It was a male child.

Trucella Webb. I am a midwife, and saw this child as soon as it was cleaned, after it was taken out of the privy.

Q. Was it a male or female?

T. Webb. It was a boy.

Q. Was it at full growth or otherwise?

T. Webb. To the best of my knowledge it was at full growth. I know nothing more, only seeing the woman [meaning the prisoner] in her bed in the workhouse.

Sarah Sawyer. The prisoner came in very uneasy to the alehouse where I live, that is, the Man in the Moon alehouse in Plough-street, in the evening before the thanksgiving day.

Q. What hour?

S. Sawyer. It was not quite eight at night. I took great notice of her being so uneasy. I went away, and left her there.

Q. What time did you go away?

S. Sawyer. I went away presently after I took notice of her.

Q. Did you return again that night?

S. Sawyer. I was gone better than a quarter of an hour, and when I came again, I was told the woman was delivered of a child in the vault.

Q. Did you see the child?

S. Sawyer. I did, after it was taken out; there was a great uproar among the people, and they said the child was there.

Q. Was it a male or female?

S. Sawyer. It was a male child. I saw a great quantity of blood on the top of the window shutter belonging to that alehouse.

Q. Was it within the publick house?

S. Sawyer. No, it is just as you come out at the door; I helped to clean it, and after that I went up to see her.

Note, The Remainder of these Proceedings will be published in a few Days.

THE

THE
PROCEEDINGS

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 16th, and *Thursday* the 17th of JANUARY,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER II. PART II. for the YEAR 1760.

Being the Second SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed, and sold by G. KEARSLY (Successor to the late Mr. Robinson) at the
Golden-Lion, in *Laidgate-Street*, 1760.

[Price Four-pence.]

RECEIVED IN GS

OFFICE OF THE DIRECTOR

County of MADISON

Office-Hall in the Old-Battery

In the Thirtieth Year of his Majesty's Reign.

NUMBER II. PART II. for the Year 1860.

Being the Second Session in the Mayoralty of

The Right Hon^{ble} Sir Thomas Chittick, Knt.

Lord-Mayor of the City of L O N D O N.

1000

[illegible]

THE P R O C E E D I N G S O N T H E

King's Commissions of the Peace, and Oyer and Terminer, for the City of
L O N D O N, and at the General Sessions of Gaol Delivery of *Newgate*,
holden for the said City of L O N D O N, and County of M I D D L E S E X,
at *Justice-Hall* in the *Old-Bailey*, &c.

Q W H E R E was she?
S. Sawyer. She was in an empty room two or three doors beyond, sitting on a basket; I saw something lying by her wrap'd up in a cloth, which I open'd and look'd at, and after I had seen it said, it was very odd that one thing should be there, and not the other, meaning the child.

Q. What answer did she make you?

S. Sawyer. She made me no answer at all.

Mary Lawson. I went to the Man in the Moon alehouse on the 28th of November, where I saw the prisoner at the bar.

Q. At what time?

M. Lawson. It was in the evening, but I can't say the hour; the prisoner was stitching the form of prayer, to have them ready to sell the next day; after that I saw her rise from her seat, seeming not to be well, and asked her if she was not well; she reply'd she was as well as ever, went out of doors, stay'd some short time, and return'd back again. As she was standing by the fire, she turn'd back her apron, and I saw the bottom of it was very bloody. Mrs. Johnson stood by and said to her, what ails your apron? she answer'd, her nose had been bleeding. I think she went out of doors again (but I am not quite sure of that) came in, and made a dispute about the form of prayer with one Walker; they had been at the printing office to buy them together, and one said that the one had five more than the other; then they called Mary Mitchel aside, what was said to her I don't know, but Mary Mitchel immediately called to me, and I went to her.

Q. Cannot you recollect some words that she said?

M. Lawson. No, she whisper'd; Mary Mitchel said to me, that Betty was very bad, that she had

been to the necessary, where something had come from her, and that as I was a mother of children, I might be able to know whether it was a labour or not. I said, that though I was a mother of children, I was not capable of knowing that, for a certainty. Then Mary Mitchel asked me whether I would go and fetch a midwife, and I said that I would.

Q. Did you go?

M. Lawson. No, she would not give me time to go; and the prisoner said I had no need to go, for the child was down the necessary, and that she either heard it squeak, or cry (I don't know which of the words she made use of.) I told the prisoner she was mistaken, but she said she was not, and that if I would take a candle I might see the child. Then I and another woman went immediately from her.

Q. What is that other woman's name?

M. Lawson. Her name is Elizabeth Johnson; I look'd down, and saw the child half in and half out of the soil; then I had a pair of tongs brought me, with which I caught hold of the child, but being in a hurry it fell out of the tongs; I laid hold of it again, and got it a great heighth, but it slip'd out of the tongs again, fell through the soil, and I could see no more of it; after that I went to Betty (meaning the prisoner) who was in the house, and said, Betty, Lord! what have you done, did you feel no pain when your child came into the world? she reply'd no, and added that she had come at seven months.

Richard Burril. I am a constable. On the 28th of November I was called into Plough street, to take a woman into custody (which was the prisoner at the bar) for the murder of her bastard child, by throwing it into a vault.

Q. At whose house?

Burril. At Mr. Welch's. I went, and was given charge.

charge of the prisoner. I asked her how she could be so great a brute as to murder her child. She told me she had occasion to go to the vault, and the child drop'd from her, and that she had very little pain.

Mary Mitchel. I used to go partners with the prisoner at the bar in fish. I have often taxed her, and said, *Betty*, you are very big, how long have you got to go? She always said to me, and a great many more, till the latter end of January, or the beginning of February. She went to the printing-office for some thanksgiving prayers on the 28th of November, to sell on the next day, being the thanksgiving day, and did not return again till about half an hour after eight at night, and then she came to the Man in the Moon alehouse, in Plough Street. When she came in I said, *Betty*, you have staid a great while. The woman that went with her said, if *Betty* had not been so big with child (by which means she had got her name set down) we must have come away without any papers. The prisoner went out some little time, and came in again. Then there was a dispute about some papers. I stood a little distance from her, and she beckoned me with her finger. I went to her, and understood her that she had been at the necessary house, and talk'd of something coming from her. I did not then understand that any thing had come from her. I went to a neighbour, and said, *Betty* has been to the necessary, and she is coming before her time; I understood something was coming, not come. I step'd to Mrs. Lawton, and said, I wish you will be so good as to step into our *Nanny's* house, and see how it is with *Betty*, for she had a very bad fall the day before.

Q. Did you see her have that fall?

M. Mitchel. No, I did not see it, but I heard it by a great many people; they all went out of the house with her except me, so I did not hear any thing of it till half an hour afterwards.

Q. Was you at the necessary at the taking up of the child?

M. Mitchel. I did go at the latter end, to hold the candle for Mrs. Lawton, who said she had hold of it, and I heard something fall. The girl always behaved well; I never heard otherwise by her in my life.

Margaret Watson. A little better than half an hour after eight o'clock I went in at the Man in the Moon alehouse, in Plough Street.

Q. What day of the month?

M. Watson. On the 28th of November. There *Betty* (the prisoner) sat by the fire-side on the floor. I came out again with a pint of beer for my supper,

and I believe I had been at home till very near nine, when *Betty* came to me.

Q. Where is your house?

M. Watson. I have a room in Mr. Welch's rents.

Q. How long was it after you went home?

M. Watson. I believe it was better than a quarter of an hour after I went to my room; I was eating my supper with my husband and two children. She pushed my door a-jar and had it in her hand, and spoke sharper than ordinary as I thought, and said, *Peggy*, I want to speak with you. I thought by her speaking something ail'd her more than common. She perceived my countenance change, being daunted at her speech. I said, *Betty*, what is the matter now? She said, nothing ails me *Peggy*, but I want to speak to you. When I came out I pull'd the door after me, and stood in the passage. She said, Lord, *Peggy*, what shall I do, I had occasion to go to the necessary house, and in straining my child came from me. I reply'd, Lord, *Betty*, what will you do for the child, for you will be hanged? She said, hanged for what, she was come before her time. She beg'd of me to give her something of a rag directly or cloth, so I gave her a piece of a rag that hung behind my door, and a skirt of an old gown. She bid me not to be frighted, for she should go about her business on the morrow. She made use of them in my room, and went away from me; I believe she might be gone from me ten minutes, when I went out and turn'd into the passage, to go to the necessary house where the thing was done; there I met Mrs. Lawton and my sister coming out of the necessary house, with a candle. I clasp'd my hands together, and said, O wicked wretch, what had she done! Mrs. Lawton said to me, pray *Peggy* go and see, for you may see the child upon the soil. I went, but could not look down, I was so daunted. Mrs. Lawton said, we will see if we can get it up with a pair of tongs, so I went and borrowed a pair, and brought them to her. She had the child two or three times up, but could not hold it. After we had lost the child in the soil, and could see no more of it, I went up stairs to the prisoner, who was sitting upon a kind of a basket. I looked her in the face and began to talk to her, and said, how could you go to do such a thing? She beg'd I would not reflect, and said she could not help it, she felt no pain.

Q. to the *Midwife*. Does not the after-birth usually come away with the child?

Midwife. Sometimes there is a pretty while distance, an hour or two, and sometimes less; it is not always alike.

Prisoner's Defence.

I did not come to my reckoning, which was the latter end of January, or beginning of February; I had every thing provided for the child, I did not want to make away with it; my things were seen by the neighbours, Margaret Watson and her mother know that I had things provided.

For the Prisoner.

Margaret Watson (again.) I saw the prisoner have two child's shirts, a cap, and three forehead cloths.

Q. How long before this happened?

M. Watson. I believe she might cut them out about two or three days before; I really saw her cut them out. She had asked a young body, an acquaintance of her's, to give her a blanket.

Q. Was you present at the time?

M. Watson. I was, the young body said she would give her one.

Q. What time was this?

M. Watson. This was about a week before the thing happened.

Mary Mitchell (again.) I know of her preparing some linen, and I carried them to the work house to her; and I know the young woman that promised her a blanket, who asking her how long she had to go, she said, to the latter end of January, or beginning of February; then the other said, it is time enough to give it you.

Acquitted, as delivered by surprise.

66. (L.) *Elizabeth Beaufine*, spinster, was indicted for stealing one linen handkerchief, value 10d. the property of William Beauge, December 17. ||

William Beauge. On the 17th of December, I was at Guildhall, seeing the lottery drawing; when I felt something at my pocket, and turning round, saw the woman at the bar with my handkerchief in her hand, going to put it into her apron. I laid hold of the handkerchief, she had hold of one end, and I the other; then she went to go down the back way, to Basinghall street; she let go the handkerchief and ran, and a person that is here ran after her and caught her.

J. neup Janaway. I was at Guildhall at the close of the lottery, being concerned in two or three tickets, and the prosecutor was standing by me; suddenly he turned about and caught hold of one end of a handkerchief, and the prisoner at the bar

had hold of the other; the prisoner got down the steps going into Basinghall street, and was pulling the handkerchief at the bottom of the steps, and he above. I said to him, why do not you lay hold of her? then she flung off her cloak, and ran away. I and others pursued and took her, and I took particular notice of the handkerchief, putting a mark upon it with ink before the alderman (the handkerchief produced, and he looks at it.) This is the same, here is my mark.

Q. to prosecutor. Is this your handkerchief?

Prosecutor. It is the same that I saw in the prisoner's hand, and it is my property.

Prisoner's Defence.

The gentleman's handkerchief was hanging out of his pocket, but I never handled or touched it; I did not know what they were going to do with me, and so I went to run away; what they say is false, for I never saw it more than I see it now. I have no friend but my mother, a very old woman, who sells fish, and has done so these forty years.

Guilty.

67. (L.) *Elizabeth Blake*, spinster, was indicted for stealing ten ounces of green tea, value 6d. the property of William Proedd, December 23. ||

William Bridgewater. Mr. William Proedd is my master, he lives at Holbourn bridge.

Q. What is his business?

Bridgewater. He is a grocer. As I was doing business behind the counter, I was told by some customers in the shop, that the prisoner was doing what she should not do. I went to her and said, what are you at? She said nothing, but I searched her and found ten ounces of green tea upon her.

Q. Do you know whose property it was?

Bridgewater. It was the property of my master.

Q. When was this?

Bridgewater. This was on the 23d of December, or thereabouts, between six and seven in the evening.

Q. Had she asked for any thing?

Bridgewater. I don't know that she had; there were a great many customers in the shop, I suppose about twenty.

Q. Did you see her take any thing?

Bridgewater. No; I saw nothing but by information.

Q. Was the tea done up in any thing?

Bridgewater. No, it was loose in her apron.

Q. What did she say for herself?

T

Bridgewater.

Bridgewater. She said a woman gave it to her.

Q. Where did she say the woman gave it to her?

Bridgewater. That I don't know; but to the best of my knowledge I think she said it was given to her in our shop.

Q. Are you sure it is your master's property?

Bridgewater. I am very certain of that.

Q. Was it taken out of a cannister?

Bridgewater. No, it was taken out of a chest. I informed my master of it, and he ordered me to send for an officer. When the officer came, I put the tea in a paper, and he took her to the watch-house. I had the tea tied up and sealed, which the officer has got to produce here.

Q. What is his name?

Bridgewater. His name is Challase?

Q. What did she say before the alderman?

Bridgewater. She made a weak defence before the alderman, and said it was given to her by a woman in the shop.

Q. Did she name that woman?

Bridgewater. No. She said the woman was a stranger to her, and that she did not know her.

Q. Did she say she came to buy any tea?

Bridgewater. I did not hear her say any thing of that. *(The tea produced in court by the constable.)*

Bridgewater. This is my master's tea.

Prisoner's Defence.

I went to see after my mother, and could not find her. Then I went into the grocer's shop, to see if she was there, and a woman that was in the shop put something into my apron; I never saw that woman in my life before.

For the Prisoner.

James Galloway. I have known the girl at the bar about five or six years, and I believe she is an honest girl, but has not so much wit as other girls have. She served me at the time of my wife's being ill, and I never knew her to wrong me of the value of a pin. She has not wit enough to give a person a ready answer.

Q. What business are her friends of?

Galloway. Her mother goes to Rag Fair, and makes old shirts and aprons out of old cloth. I have known her mother these eight years, and she

is a very honest woman. She has four children, is a widow, and has brought them up as well as could be expected for many years.

Guilty.

68. (L.) *Elizabeth Mac Call* was indicted for endeavouring to extort money from Mr. Stafford Briscoe, by sending him a letter, purporting, that he had given her a blow in the street on her breast, which had occasioned her to make use of a surgeon, and that if he did not give her some money, she should employ an attorney against him, &c. December 1. †

Stafford Briscoe. On the 1st of December I received a letter from one Mr. Alexander How, an attorney, in Bearbinder Lane.

Q. Can you prove the prisoner employed that attorney to write it?

Briscoe. I will pass that by, and give an account of another, which the prisoner own'd. Last Saturday was seven-night I received this letter, which I have now in my hand. *(Producing one.)* It was sent by the prisoner at the bar.

Q. How do you know that she sent it?

Briscoe. The porter is here that brought it.

Q. What is his name?

Briscoe. His name is King; and yesterday the prisoner sent me another letter, telling me she was in a very deplorable condition; that she lay upon boards, and was not likely to live.

William King. The woman at the bar delivered this letter to me. *(He takes it in his hand.)*

Q. Where?

King. I was at the Nag's Head in Cheapside, where I have plied ever since the year 1732. The prisoner came to me, and asked me if I would carry this letter to Mr. Briscoe's. I said I would. She gave me two-pence, and I received it of her in the passage.

Q. How was it directed?

King. It was directed to Mr. Briscoe.

Q. Did you carry it?

King. I did: I had but about the length of six doors to carry it.

Q. What said Mr. Briscoe?

King. He took and opened it, and the first word he said to me was, read that letter, where had you it? I said, a woman at the Nag's Head gave it me. He said, where is she? I said, at the Nag's Head now. He went along with me to the Nag's Head passage, and there he saw the woman, whom he desired to walk along with him to his shop, and he desired me to go also. Then he took the wo-

man

man to the back part of the shop, and said, you may go away Mr. King, and when I want you, I will tend for you.

Q. How long had you been in the shop before he bid you go away?

King. Not half a minute, but in an hour's time he sent for me to go along with them before my Lord-mayor; when we came there, there was alderman Cockayne sitting in his room.

Q. Was this letter produced there?

King. It was, and read to him by a gentleman that was there?

Q. Was the prisoner present?

King. She was.

Q. What did she say?

King. She said before the alderman, that about two or three months ago she was going down Ludgate Hill, or Ludgate Street, and as Mr. Briscoe was coming along, he gave her a knock on her breast, or pushed her, so that she had not been able to get her bread ever since.

Q. What said Mr. Briscoe to that?

King. Upon my word I have forgot what answer he made.

Stafford Briscoe. In consequence of this letter, I sent for my attorney, and, upon my shewing him the letter, he directed me to send for a constable.

Q. What is your attorney's name?

Briscoe. His name is Carrah; I don't know his Christian name. I carried her to the Mansion-House; alderman Cockayne was there: I told him I brought her there in regard to publick justice, more than in regard to myself, as I looked upon it to be done in order to extort money from me. She there said she did live servant with me for six months, about ten years ago.

Q. Had she ever lived with you?

Briscoe. I believe she had, I remember something of her face.

Q. Did she charge you before the alderman with assaulting or abusing her?

Briscoe. She did, but after her commitment was wrote she changed her tone; she persisted in it at first that I hit her with my elbow, but at last she did not insist upon it that I did it on purpose.

Q. What were her words?

Briscoe. She said I had struck her, or hit her, in the street, which was the reason of her writing this letter. I told the alderman I left it to what he thought proper to do, if he thought it necessary for me to prosecute I was ready to do it; he said he thought it was a thing of some consequence, and committed her; after that she fell a crying, and

said she was very sorry she had given me any offence. I have no other motive to trouble the court with this affair but the publick good.

Q. Mention the words she made use of after the commitment was wrote.

Briscoe. The words as I understood them were, as near as I can recollect, she desired I would have compassion on her, for she had a child thirteen months old, and was with child again, desiring me not to be cruel, as she was sorry she had offended me.

Q. Did you ever strike her?

Briscoe. No, to the best of my knowledge; there is not the least foundation for what she has wrote, not the least in the world; if I knew there was, I should be very sorry to give the court this trouble.

The letter is read to this purport.

"Mr. Briscoe,

"SIR, I sent to you some time ago, and the gentleman desired me to call on you, but I have not been out of doors since before to day; I have a surgeon to attend my breast, and it is very hard I must suffer so much and have no recompence, but as I am a poor woman I hope you will consider me, for you are the person that gave me the blow; if you will give me one guinea I will not proceed any farther, but if you will not, you may expect to hear from me soon; pray send an answer by the bearer. I had one by me that saw it done, and I have a lawyer who will take it in hand, tho' I have got no money. I expect your answer now.

"Elizabeth Mac Call."

Prisoner's Defence.

The day before thanksgiving day I was coming up Ludgate-hill, and another woman along with me, when this gentleman met me in the street, the other woman being close by me, and gave me a push from the wall, by which push I have had a sore breast, and was for three weeks an out patient in the Middlesex hospital; I could not lift my hand to my head, and was desired to apply to the gentleman, to see if he would make me satisfaction, as I had no mind to go to law, but thought if he would give me a trifle, it would be some satisfaction. I have a young child fourteen months old, and am with child again. I sent to him when I found my breast was bad, and called at his house once, but they said he was not at home.

Q. Is the person here that was with you?

Prisoner.

**Prisoner. No.
Acquitted.**

69, 70, 71, 72. (L.) **John Baker, John Smith, Robert Smith, and Richard Dickman**, were indicted for stealing fifteen bushels of coals, called sea coal, value 15s. the property of John Appleton, Aug. 7.†

Robert Long. I was book-keeper to Mr. French, which was the first service that I ever had in my life.

Q. When was you book-keeper to him?

Long. In the years 1757 and 1758.

Q. Do you know the four prisoners at the bar?

Long. Yes, they are coal-heavers, and were employed at Mr. French's in the months of July and August, 1758.

Q. What is Mr. French?

Long. He calls himself a woodmonger, and rents a Key called Pig's Key; it is a wharf.

Q. Do you know Mr. Appleton?

Long. Yes, he is a dealer in coals.

Q. Do his coal barges come to Mr. French's wharf?

Long. They did some time in the year 1757, and for some considerable time after.

Q. During the time his barges came there, do you know of any coals being taken out of them?

Long. Yes; on the 25th of July, 1758, 3 sacks of coals were taken out of the Vulture lighter, belonging to Mr. Atkinson; by the four prisoners at the bar.

Q. What was done with them?

Long. They were carried to Mrs. French's cellar, for which she gave these men at the bar one shilling per sack, for carrying them thither.

Q. Who is Mrs. French?

Long. That is the wife of my master French.

Q. What might coals be worth at that time?

Long. Three shillings per sack at least. Mr. Adkinson, a lighterman, owned the barges, but the coals belonged to Mr. Appleton.

Q. What time of the day were they taken from the lighter.

Long. They were taken out about the middle of the day.

Q. Were any others present at the time?

Long. No, there were nobody present but the prisoners and myself.

Q. Do you know of any more being taken out?

Long. Yes. On the 4th of August following, there was one sack more taken out of a lighter, cal-

led the Scarborough, belonging to Mr. Appleton, and carried to the same place, by the prisoners at the bar.

Q. Do you know what money was received for that?

Long. They received one shilling for that.

Q. Do you know of any more being taken away?

Long. Yes; August 7th, there were three sacks more taken out of the Scarborough by the prisoners at the bar, and carried to the same place.

Q. Do you know of any authority they had to take these coals?

Long. I know of no authority for it farther than this; they would go to their mistrels, and ask her if she wanted any round coals, and she would say yes.

Q. Who do you mean by their mistrels?

Long. That was Mrs. French.

Q. Do you know of any authority the prisoners had from Mr. Appleton, to take coals out of these lighters, and carry to Mrs. French?

Long. They had none as I know of.

Q. At that time, what was the price of portrage, from the wharf up to Mrs. French's cellar?

Long. It was three-pence a sack. After that, on the same day, the 7th, I saw them about taking something else: I watched them, and saw them take a sack out of the same lighter, and carry it over a timber yard belonging to Mr. Bodicote, into Salisbury Court; I pursued them, and found them out: I had for a little time lost them, but I found Baker and the two Smiths wrangling about it in a publick house.

Q. Whose house was it?

Long. It was the house of John Bransfield. Mr. Bransfield questioned them how they came by the coals, as he bought them of them.

Q. What sign does he keep?

Long. The sign of the Ship in Salisbury Court; he married Mr. French's wife's sister.

Q. Was it a usual way for carrying coals, the way that they carried them to his house?

Long. No, there was no road at all. Mr. Bodicote has been angry with them, when they have gone over there to get liquor at that house.

Cross Examination.

Q. When did you come to be a servant to Mr. French?

Long. In February, 1756.

Q. How long did you continue in his service?

Long. Until September, 1758.

Q

Q. You say you saw this transaction of carrying coals to Mrs. French's cellar, did you see the shilling paid?

Long. I did.

Q. At that time did you know they were stolen?

Long. I did.

Q. Were they generally carried there about noon?

Long. They were, always at day light.

Q. Where is Mrs. French's cellar, which way did they carry them?

Long. They were carried to the cellar up Bride-Lane, in the common highway.

Q. Was there any conversation between you and the prisoners, for you to have part of the reward to hold your tongue?

Long. I had no part of the reward.

Q. Had you nothing to induce you to hold your tongue?

Long. No, nothing.

Q. What time was you dismissed from Mr. French's service?

Long. I left his service in September, 1758; I never was discharged.

Q. When you left his service, was not you indebted to him a sum of money?

Long. I was.

Q. Look at this bill, is this your hand-writing, these several sums?

Long. It is.

Q. What is the sum?

Long. It is 12l. 1s.

Q. Was this a sum of money that you was indebted to Mr. French?

Long. It was, but he wrong'd me of twenty pounds: He oftentimes would not pay me my weekly wages, or a six-pence; I could not live upon nothing.

Q. How came you to set down this particular sum in this manner; here are four persons, and different sums of money, were not these sums what you had not brought into the account?

Long. I have discharged them, and the book will shew it.

Q. Did you write these sums in the book the same day that you received them?

Long. I believe I did not.

Q. How long after?

Long. Some may be a week after.

Q. Whether this writing, on this bit of paper, was wrote before you made an entry in the book?

Long. No, it was not; they were entered in the book before that bit of paper was wrote.

Q. Is this bit of paper an exact copy?

Long. I believe it is.

Q. Did you ever settle any account with your master, at the time when you had omitted to make an entry of money that you had received?

Long. I settled accounts with him every year, and never oftener.

Q. Was you not indebted to him when you left his service?

Long. I was, but not so much as he charged me with.

Q. Did you give him two bonds for the money?

Long. I did.

Q. Were they given before you left his service, or after?

Long. They were given before I left his service.

Q. How long before?

Long. I cannot tell, it was some time before. Mr. Reynolds can tell, for he has the bonds in his custody.

Q. Was you indebted to Mr. French for the money that the bonds were made for?

Long. I was.

The two bonds produced.

Q. Look at these bonds.

Long. These are both signed by my own hand.

Council for prisoners. One is dated the 28th of June, 1758, the other the 30th of June, 1758; one in the penalty of 40l. for the payment of 20l, and the other in the penalty of 54l. for the payment of 27l.

Q. When was it that you was threatened to be sued on these bonds?

Long. I have been threatened to be sued several times, and at other times I have been promised to be let alone.

Q. When was the last time you was threatened?

Long. I was threatened two or three months ago.

Q. When did you first lay any information before a magistrate about these coals?

Long. I never did till about three months ago, but I had wrote letters to Mr. French two or three months before, to let him know what I could do.

Q. Did you ever give any information to a magistrate till you was threatened?

Long. No, but I had mentioned it to several people, and in particular to one gentleman of reputation and credit, long before I was sued.

Q. How long before you was sued?

Long. Above six months before.

Q. Was it before or after you had quitted his service?

Long. It was after I had quitted his service and

and when I was sued, I immediately disclosed it.

The two bonds read.

Q. When was you sued?

Long. I was sued in Michaelmas term last.

Q. What magistrate was you before?

Long. I was before Sir Samuel Fludyer, and alderman Dickinson.

Q. When you was before Sir Samuel Fludyer, were any of the prisoners sent for to be examined?

Long. They were; I was carried there to make an affidavit, and I gave information against these four men at the bar, and Mrs. French.

Q. Were they summoned there?

Long. They were.

Q. Did they come to their summons?

Long. They did.

Q. Were any of them sworn?

Long. Two of them were, John Smith and Richard Hickman.

Q. Did they not totally contradict what you had said?

Long. No, they did not.

Q. Did they own the fact?

Long. No.

Q. What did they say?

Long. They said they did not know one person's lighter from another, they could neither write nor read.

Q. Were they not discharged?

Long. There was no warrant granted. Sir Samuel said if there was no evidence but myself, he could not grant me a warrant, so as to come at the truth of it.

Q. Did you go afterwards before alderman Dickinson?

Long. We went before him, they were summoned to meet at Guildhall; there were Sir Samuel and Mr. Dickinson both together.

Q. Was the account that you gave there the same as now?

Long. It was.

Q. Was it believed at that time?

Long. I cannot help it if they did not believe it.

Q. Did you make any declaration to Mr. Appleton, that you knew him to be injured?

Long. No, I did not.

Q. Were any of the prisoners in custody at all, untill you went before the grand jury, to get bills of indictment against them?

Long. No, I believe not.

Q. How long did they appear publicly before they were taken up?

Long. That Mr. Appleton can best inform you of, because I saw none of them; I only know of Hickman's being taken up, I do not know when the other three were.

Q. Were they all in their business, appearing publicly?

Long. They were; but Mr. French had given his word that they should be forth coming, and Mr. Appleton took his word.

Q. Did the prisoners go voluntarily before my Lord-mayor, when they knew there were bills of indictment found against them?

Long. One of them went very unwillingly; the others I can say nothing of, as to that. Mrs. French was mentioned in the summons, but she cannot be found.

Q. Was the prisoners bail of their own procuring, or of Mr. French's procuring?

Long. Some of them are Mr. French's friends.

Q. What is that man's name, to whom you gave this information?

Long. His name is Confel, a man of great reputation.

Q. What induced you to give Mr. French these bonds?

Long. The first year I lived with him he gave me 30l. a year, and the next he said he would give me 50; he offered me 70l. a year before I left him, but he never advanced my wages to any more than 40l. a year. Though I had a wife and three children, several weeks he has given me no wages at all; and my wife and family have had nothing but bread and water to live on for three days together, when I lived with him.

Council for prisoners. Those bonds are for 47l.

Long. Upon my oath these bonds are for money not intirely due to him.

Q. Why did you not insist upon having a fair account taken before you gave these bonds?

Long. How must a poor man get relief! having nothing but a verbal bargain. He very ungratefully flew from that, and left me in the lurch 20l. If you will examine the book, as it is here, you will find it posted with my own hand, that there is but 27l. due to him.

Joseph Confel. I am a dealer in coals. Mr. Long is my servant.

Q. Do you look upon him to be an honest man?

Confel. I do, and have reason to think so.

Q. How long has he lived with you?

Confel. About 16 months.

Q. What do you give him per year?

Confel. I give him 45l. per year.

Q.

Q. Was he formerly a servant to Mr. French?

Confel. He was.

Q. Did he ever talk to you with regard to coals?

Confel. I have heard him talk from time to time, perhaps eight or nine months, or pretty near twelve months ago.

Q. What have you heard him say?

Confel. I have him say, that when he first lived with Mr. French he was a very unjust man in measuring of coals.

Q. Did you ever hear him talk with regard to Mr. French's servants taking of coals.

Confel. I cannot say I did; I have heard him say Mr. French has given short measure.

Q. Does Mr. French keep a wharf?

Confel. He does, he is a dealer in coals, and is a lighter man too; he is in the same branch as I am.

John Appleton. I am a dealer in coals, and have used Mr. French's wharf at Pigs-key, about two years.

Q. Do you deal largely?

Appleton. I deal in a middling way, for some hundreds a year.

Q. Whose lighters do you make use of?

Appleton. They are one Mr. Adkerson's; I pay for lighterage, the coals are mine while in my possession; from that wharf I measure out and deliver coals as I want them.

Q. During the time the lighters lay there, did you ever miss any coals?

Appleton. I have had a complaint for almost a year and a half, having found them run short. I have missed coals all the year long, and complain'd to the lighterman, telling him there must be a default somewhere, for coals could not melt. I complained also to the lighterman's clerk, thinking they must go at the wharf, as I found a deficiency in the very last barge that came to Mr. French's wharf in September last. Then Mr. Owen came and told me, if I would go to Mr. Long, he would give me an account how my coals came to measure short. I went to him, he was in the spunging-house, where he had minutes of every particular of such and such lighters, and of coals being taken out of them, saying he would make oath that I never had a lighter or barge there, but what coals were taken out of, and giving me the same account of coals being taken out of the two lighters as he has done now. Sometimes a lighter lay there six weeks or two months before she was clear'd. I went home and found Mr. Long's account tally with my book, and Mr. Adkerson's book agrees with mine.

Cross Examination.

Q. Are you sure you have lost coals from lighters there?

Appleton. I am sure I have lost a great many coals out of my lighters.

Q. Did not the prisoners go willingly before the magistrate?

Appleton. They did; because the mistress was concerned, and the master supported them.

Q. Did they go freely?

Appleton. How do you understand freely? they were obliged to go by virtue of a warrant.

Q. Did any alderman grant your warrant?

Appleton. No, Sir; I will tell you the reason why. Alderman Dickinson said, we believe you have been rob'd, and should be glad you would see for some other evidence, to strengthen that of Mr. Long, then we will grant you a warrant. Now since then we have found another evidence to support that of Mr. Long, that is, French's wife's sister's husband, where they carried the coals to in Salisbury Court, who is the man that bought one sack taken out of my lighter, had we had this evidence at that time, alderman Dickinson would have granted a warrant.

Q. Was not Long under an arrest?

Appleton. I told you before he was in a spunging house.

Q. Did you know any thing of this till after the arrest?

Appleton. No, I did not; Mr. Owen told me of it first.

John Bransfield. I married Mr. French's wife's sister.

Q. Do you remember that about August last was twelve months a sack of coals was brought to you by the prisoners at the bar, or either of them?

Bransfield. I remember a sack of coals being brought to our house the latter end of the summer, about July or August; I can't say to the time; there was a dispute, my wife owed Mrs. French for four sacks of coals, saying she would go and pay for them, and order some more in, and as she was going out at the door the men brought the sack in.

Q. Had there been any order for the bringing of them?

Bransfield. No, they had not been order'd at all.

Q. Which of the prisoners brought them?

Bransfield. Three of them; Robert Smith had them on his back, and his brother and Baker came in

in after him. Mr. Long came in while they were making a dispute, and Mr. French had come and said, he had a suspicion that things were not right, desiring me not to take any of them but what came from his wife. Upon this I made an objection, and my wife said she would go and pay Mrs. French for them directly. Baker came to me and said, D——n it, don't go making a noise there. Said I, if they are not your mistress's coals, you will be in a fine hole, and so shall I too. Said he, they are not my mistress's, we never rob my master of any.

Q. Was Hickman one of them?

Bransfield. No, he was not there.

Q. Which way did they come with them?

Bransfield. They brought them through Mr. Bodicote's yard; I saw them come up by our window, there is no other way by my window but through that yard.

Q. Have you ever had coals from Mr. French's wharf that way before?

Bransfield. Yes, when it was low water.

Q. Was this at low water?

Bransfield. I can't say that it was.

Q. Is there a distinction between a cart sack and a retailer's sack.

Bransfield. There is.

Q. What sort of sacks do you expect them to be in, when brought out of a cellar?

Bransfield. If they come out of a cellar, they should be in two bushel sacks, those being retailers' sacks.

Q. Did Mrs. French at that time deal in a retail way, separate from her husband?

Bransfield. She did.

Q. At the time you had these coals brought, when they said, do not tell our mistress of it, do you remember whether they themselves had carried other coals?

Bransfield. They said they had carried some of the same sort to their mistress's.

Council for prisoners, to Appleton. Was ever any demand made upon Mr. French, that if he would pay you a sum of money, there should be no prosecution?

Appleton. Demand! by whom?

Council for prisoners. By you.

Appleton. No, Sir, there never was such demand made by me.

Council for prisoners. Nor never any talk of a hundred pounds being paid to you?

Appleton. No.

Council for prisoners. Did you authorise your attorney to ask him for any sum?

Appleton. I left it to my attorney; I did not chule to smother it, and I would not offer any such thing; I thought he would make a handle of that: there was nothing offered to me or to him as I know of.

Council for prisoners. Was your attorney either to make it up or prosecute, or was he to accept of money, and if not, to proceed?

Appleton. I know nothing at all of that.

Council for prisoners. Who was your attorney?

Appleton. Mr. Jackson was.

Council for prisoners. Tell me whether this is Mr. Jackson's hand-writing.

Appleton. (He takes a paper in his hand.) It is.

Council for prisoners. Let it be read.

Council for the crown. I object to that letter being read, except they examine Mr. Jackson, who is here. (He takes and looks at it.) It is as fair a letter as possible, so by all means read it; it is a letter from the prosecutor's attorney to Mr. French's attorney.

It is read to this purport:

December 21.

"Mr. Reynolds, I am now to inform you, unless I have some proposal from Mr. French tomorrow, I shall be under a necessity of proceeding next day, my client not agreeing but on terms as mentioned; it is therefore material for you and Mr. French to consider maturely, &c."

Baker's Defence.

The sack of coals which we carried to Mr. Bransfield's, our mistress gave us orders to carry to her sister's; and said she wanted some; we never took a coal out of Mr. Appleton's lighters.

John Smith's Defence.

I never wronged Mr. Appleton of a coal in my life, to my knowledge.

Robert Smith's Defence.

I never wronged him or any man else of a coal in my life.

Hickman's Defence.

I never did such a thing in my days.

Q. to Long. Is there money due from you to Mr. French now?

Long. Upon the bonds there is, but if I had my right I do not think there is any thing due; to be sure the bonds I gave are not quite paid off.

For

For the Prisoners.

Mr. Robert Reynolds. The letter that has been read here was directed to me, I was attorney for Mr. French; as his wife was accused, I brought an action against Long, and he was carried to the spunging house; when he was in custody, his wife and Mr. Owen were desirous that he might be admitted to bail, and Mr. Owen desired me to prepare a bail bond. Mr. French had given me general directions, that if they got good bail he might be discharged. Mr. Owen proposed to be bail.

Q. At the time these bonds were executed, did Long pretend the money was not due?

Reynolds. I heard no objection at all then, he was very easy, and not a word was said about imposition.

Q. Here has been a letter read, from the prosecutor's attorney to you, in which he says he is to inform you, that unless he has some proposal from Mr. French, he shall be under a necessity of proceeding, did Mr. Appleton ever propose that Mr. French should pay him any sum of money, to prevent a prosecution?

Reynolds. There was first a meeting at St. Paul's Coffee-house, where this matter was discoursed of; it was given out in general terms, that Mr. Appleton had been a great sufferer from time to time, and that the terms must be very considerable; there was another meeting appointed after that, where Mr. Appleton was not present, but Mr. Jackson attended on his behalf, who was pleased to say, that by the frequent repeated times of these coals being taken out of the lighters, the damage must amount to an hundred pounds or upwards; we could not admit that any coals had been taken at all that Mr. French knew of, who could not believe any such thing as was mentioned by them, either of his wife or the prisoners at the bar.

Q. Was there any sum of money mentioned by Mr. Jackson, that Mr. French was to pay to stop the prosecution?

Reynolds. I think he said, that upon the payment of 100l. to Mr. Appleton, for the damage sustained by him, there should be no prosecution, but Mr. French would not pay one penny. I proposed to have an action of trover, and mentioned that by way of conversation.

To the Prisoners' Characters.

Isaac Wilkinson. I am bail along with Mr. Honeywood for the two Smiths and Baker; the gentlemen are pleased to say the bail are of Mr. French's

procuring, which I mention because it was said by Mr. Appleton and his council: I did not know Mr. French only by sight, and never was in his company till this day in all my life.

Q. How long have the three prisoners you mention'd been out upon bail?

Wilkinson. They have been out upon bail about 5 or 6 weeks.

Q. In what sum was you bail?

Wilkinson. I believe it was in the sum of 20, 30, or 40l.

Q. What are you?

Wilkinson. I am a publican.

Q. How long have you known Baker?

Wilkinson. Between 4 and 5 years.

Q. What is his character?

Wilkinson. He is a very honest, hard-working, pains-taking man, and I believe he deserves that character; I should have no scruple to trust him, as I always found him honest.

Q. How long have you known John Smith?

Wilkinson. About 4 months.

Q. What is his character?

Wilkinson. He is a very hard-working man.

Q. How long have you known Robert Smith?

Wilkinson. About the same time as I have known his brother; he is a very honest, pains-taking man.

Q. Did either of them abscond upon this affair?

Wilkinson. No, they were always in their business; I believe them to be three as honest men as live.

George Stodard. I have known John Smith seven years, or more.

Q. What is his character?

Stodard. He is as honest a man as any in England, he lodged in my house; I could trust him with untold gold.

Q. Did he ever abscond upon this?

Stodard. No, never.

Q. Do you know his brother Robert?

Stodard. I do, but I am not so well acquainted him as with his brother; I never heard but that he is an honest hard-working man.

Q. Has he absconded?

Stodard. No, he never did.

Q. Do you know Hickman or Baker?

Stodard. I can't say that I do.

John Hayfins. I was bail for Hickman; I have known him for about 4 years.

Q. What is his general character?

Hayfins. He has a very good character, he is a very honest hard-working man as need to live; that

has been his character ever since I have known him. Mr. French never knew that I was his bail till after I gave bail.

Q. Do you know either of the Smiths?

Hayfins. I have known them about 3 or 4 years, they always bore very good characters.

Q. Do you know Baker?

Hayfins. I have known him some time; he always bore a very good character; that of a hard working man.

Q. Did either of them abscond?

Hayfins. I never heard that any of them did.

Joseph Noon. I was one of the bail for Hickman; I never knew Mr. French before this day, and never saw him above once before to my knowledge.

Q. Was you procured as bail by Mr. French?

Noon. I was not.

Q. How long have you known Hickman?

Noon. I have known him about 7 years; he has lodged in my house for long.

Q. What is his general character?

Noon. I have trusted him many scores of times, he has measured many scores of bushels of coals for me; I sell coals in the retail way.

Q. Did he ever abscond?

Noon. No.

Q. Do you know any of the other prisoners?

Noon. I know them all by sight, and have drank with them; I never heard any ill of either of them.

Robert Littlewood. I keep a publick house, the prisoners all use my house.

Q. How long have you known them?

Littlewood. I have known the two Smiths 3 or 4 years, Baker pretty near as long, and Hickman 2 years; they have always behaved very well, and I have trusted them; they are willing to pay when they have work to do, and willing to work when there is work to be done; they are all of them industrious men.

Thomas Milbourn. I have known the two Smiths a great many years, I know Baker also.

Q. What characters do you give them?

Milbourn. That of very hard working, industrious men, I never heard to the contrary.

Edward Lingon. Hickman has been my servant about a year and 2 months.

Q. What is your business?

Lingon. I keep a coal wharf.

Q. How has been his behaviour?

Lingon. He has behaved very honestly and diligently in his business, and I look upon him to be an honest man.

Joseph Wright. I have known Hickman about 13 months.

Q. What is his general character?

Wright. He is a very honest labouring man.

Joseph Andrews. I have known Hickman since April last; I always found him very honest in the execution of any business that I put him to at the wharf.

Q. What are you?

Andrews. I am a dealer in coals; I have trusted him in working and measuring of coals.

John Conley. I have known all the prisoners 3 or 4 years; they have measured coals for me, and are sober, industrious, honest men. I believe they all deserve that character.

James Gordon. I was clerk at a wharf in Dartmouth Yard, but am now a dealer in coals, and keep a wharf. Robert Smith was with me about two years, and Hickman ten or eleven months; and they did their work constantly.

Q. What are their characters?

Gordon. I never heard any thing to the contrary but that of honest men.

William Jeffs. I have known Baker above seven years.

Q. What has been his character?

Jeffs. Very just and honest. I employed him to drive carts of hay. He has brought me some hundreds of pounds, and he always behaved very honestly; I never heard to the contrary of that of an honest man.

Q. What are you?

Jeffs. I am a carman in Smithfield.

Mr. Young. I live at Fleet ditch, am a dealer in coals, and keep a wharf. John Smith and Baker have worked for me; Smith is a very honest fellow.

Q. What do you say as to Baker?

Young. I never had any reason to believe to the contrary of him.

James Bourne. I have known Hickman and the two Smiths these fifteen years, and Baker but a little time; I look upon them to be honest, industrious men.

Q. What are you?

Bourne. I was clerk to a coal wharf.

Q. All four Guilty.

73. (M.) Esther Ponk, widow, late wife of Richard Monk, deceased, was indicted for that she, intending her husband to deprive of life, and to kill or murder, on the 9th of January, on him the said Richard, traitorously, wilfully, and of malice aforethought, with an iron poker, on the left side of the head, did strike, thereby giving him

him one mortal bruise, of which he then and there did instantly die. *

Thomas Kemp. I being constable in the parish where the deceased (Richard Monk) lived, was sent for on the 9th of this instant January, and was told that the woman at the bar had killed her husband with an iron poker. I took her in charge, and had her before justice Welch, where she confessed she had killed her husband with an iron poker.

Q. What did she say before she was at the justice's?

Kemp. I never spoke to her going along.

Q. Did she, at the justice's, give any reason for her to doing?

Kemp. No. She said he had been a very good husband to her, and that she had a thought of it about a month, or thereabouts, before.

Q. What was your opinion of her, with respect to her understanding?

Kemp. I did not know her, though she lived in my neighbourhood a great while. I have heard since, by the neighbours who knew her, that she has been out of her mind.

Q. Did the justice ask her no questions?

Kemp. Yes; he asked her what made her to do it, and she said the devil made her to do it.

Q. What was your opinion of her?

Kemp. I did not take her to be clear in her senses. I do not know that I ever saw her before, or heard any thing of her, either good, bad, or indifferent. I knew her husband, who was a coachman, a very old man, and she appears to be very old.

Q. Did she abscond after this unhappy affair?

Kemp. No; she was at a neighbour's house.

Garret Whistler. The prisoner's husband being ill for some time before the accident happened, I attended him, to look after him, for nine or ten days; indeed I attended them both, as much as in my power, for she seemed very stupid, sometimes talking of going to drown herself, and in a very strange way.

Q. Do you know how the man came by his death?

Whistler. No, I do not.

Q. Are there any other evidences for the prosecution?

Whistler. No. Here are many neighbours to prove she was not in her proper mind, if need be to call them.

Acquitted.

stealing 56 pounds weight of butter, value 20s. the property of Walter Matthews, Jan. 2. ||

Walter Matthews. I am a cheese-monger, and live in Newgate Street. On the 2d of this instant I lost a firkin of butter from my door, but I do not know who took it, of my own knowledge.

Q. Have you seen it since?

Matthews. I have, in my own house; it was brought back again in less than half an hour's time.

Q. Who brought it back again?

Matthews. My servant, named Philip Trigg.

Philip Trigg. I am servant to Mr. Matthews. A young woman came and told me she had seen a man carry the butter down the alley. I went, and found it to be my master's property.

Q. What did you know it by?

Trigg. There was my master's mark upon it.

Q. How near your master's house did you meet with it?

Trigg. Within about fifty or sixty yards; it was set behind a window shutter, and the prisoner was near it: I made him take it and bring it back again to my master's shop.

Q. Did you see him take it?

Trigg. No, I did not.

Jane Boyce. I am sixteen years of age. I saw a man with a firkin of butter on his shoulder, carrying it down an alley, and set it behind a window shutter.

Q. Did you see him take it?

J. Boyce. No, I did not. I told Mr. Matthews's servant of it, went along with him, and shewed him where it was.

Prisoner's Defence.

I know nothing at all of it. Why did not that witness go and tell the master of it in the mean time? I know nothing in the world of it, was I to be hanged for it.

Q. From prisoner to Mr. Matthews. Whether I did not use to carry goods for you?

Matthews. The prisoner is a porter, he goes any where where he can; I have employed him. He has received money for me, and always behaved well before this.

Q. How long have you employed him?

Matthews. At times for these 2 years, or better. I always found him very honest.

For the Prisoner.

Peter Carter. I have known the prisoner 3 years, please your honour.

Q. What are you?

Carter. I am a single man.

Q. What is your employment?

Carter. I am a servant man.

Q. What is the prisoner's character?

Carter. A very good one as far as ever I saw; so far as this, I know him to be honest to pay his way.

Elizabeth Ryan. I have known the prisoner between 5 and 6 years.

Q. What are you?

Ryan. My husband is a porter in the market, and I follow the same.

Q. What is the prisoner's character?

Ryan. I never heard any thing to his discredit; he is reckoned an honest man always in the market, Leadenhall market and Newgate market, and please you.

Q. to *Trigg.* What did the prisoner say for himself after you and he were got into your master's shop?

Trigg. He said he knew nothing at all of it.

Christopher Clark. I am a porter, and use the same market that the prisoner does.

Q. How long have you known him?

Clark. I have known him three years.

Q. What character does he bear?

Clark. He bears the character of an honest man; he was always a hard-working, industrious man, as long as I have known him.

Prisoner. I have no more witnesses about me.

Acquitted.

75. *Mary Smith*, spinster, was indicted for stealing ten guineas and a half, the money of *Thomas Williamson*.

Thomas Williamson not appearing, she was acquitted.

76. *Thomas Gosling* was indicted for wilful and corrupt perjury.

The prosecutor not appearing, he was acquitted.

The trials being ended, the court proceeded to give sentence as follows:

Received sentence of Death 1.

Peter Hopgood.

Transported for seven years 17.

Joseph Yarwood, David Morgan, Lucretia Saunders, Margaret Eardley, Jesse Dixon, Joseph Teader, James Blackmore, Elizabeth Beauline, John Baker, John Smith, Robert Smith, Richard Hickman, John Burch, William Saunders, Mary Cordell, Alexander Gayter, and Edward Johnson.

To be branded 2.

John Tyrrell, and Elizabeth Turner.

To be whipped 2.

Margaret Conner, and Elizabeth Blake.

The Right Honourable Sir *THOMAS CHITT Y*, Knt.
Lord-Mayor.

GOD save the K I N G.

The next sessions begin on Monday the 25th of February next at Guild Hall, and on Wednesday the 27th at the Old-Bailey.

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THE PROCEEDINGS

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 27th, *Thursday* the 28th, and *Friday* the 29th of FEBRUARY,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER III. for the Year 1760.

Being the Third SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed, and sold by G. KEARSLEY (Successor to the late Mr. Robinson) at the
Golden-Lion, in Ludgate-Street, 1760.

[Price Four-pence.]

THE PROCEEDINGS ON THE

King's Commissions of the Peace, and Oyer and Terminer, for the City of LONDON, and at the General Sessions of Gaol Delivery of *Newgate*, holden for the said City of LONDON, and County of MIDDLESEX, at *Justice-Hall* in the *Old-Bailey*, &c.

BEFORE the Right Honourable Sir THOMAS CHITTY, Knt. Lord-Mayor of the City of London; the Hon. Sir THOMAS DENNISON, Knt. one of the Justices of His Majesty's Court of King's Bench; the Hon. Sir RICHARD LLOYD, Knt. one of the Barons of His Majesty's Court of Exchequer; † Sir WILLIAM MORETON, Knt. Recorder of the City of London; † and others of His Majesty's Justices of Oyer and Terminer for the said City.

London Jury.
Joseph Malpas
Thomas Birch
Richard Buncombe
William Austin
William Coleman
John Pont
Thomas Wheeler
George Jackson
Charles Higgins
John Page
John Colter
Joseph Hoggart

Middlesex Jury.
Thomas Trellove
Collin Dollinson
William Dow
James Bambrig
John Plat
John Anderson
George Bickham
Charles Pearce
Peter Geary
Francis Pittsala
William Davis
Henry Turing

* Richard Stratton was sworn in the room of Mr. Taring.

77. Charles Johnson *Schau* was indicted for stealing one quart silver tankard, value 5*l*. the property of Thomas Davis, Jan. 27.
To which he pleaded Guilty.

N. B. *The Characters* * † † direct to the Judge, by whom the Prisoner was tried; also (L.) (M) by what Jury.

78. (M.) Ann Stevens, single woman, was indicted for stealing 2 damask napkins, value 3*s*. 3 diaper napkins, value 3*s*. and 1 huckaback towel, value 6*d*. the property of Charles Fredrick, Esq; January 19. †

Isabella Curry. I serve Mr. Fredrick as house-keeper, and delivered these things with others to the prisoner for her to wash; after which, I missed the things mentioned.

Q. Did you see them, or any of them, after?

I. Curry. I did, at justice Welch's (produced in court) these certainly are Mr. Fredrick's property.

Richard Rumbolt. On the 23d of November last, I took in a towel and a napkin of the prisoner at the bar.

Q. What are you?

Rumbolt. I am servant to a pawnbroker. She said they were her own property, and that she bought them second hand.

Robert Baker. I am a pawnbroker; the prisoner pawn'd one napkin with me on the 10th of November, one on the 26th, and two more on the 19th of January.

Q. Where do you live?

Baker. I live with Mr. Reynolds, a pawnbroker, at Little Turn-stile.

Prisoner's Defence.

I was not in my senses when I did it.
Guilty, 10*d*.

79. (M.) Sarah Barden, single woman, was indicted for stealing two white dimity pockets, value 6*d*. one silk purse, value 2*d*. one guinea, two half guineas, three crown pieces, and eleven shillings, in money

money numbered, one silver thimble, value 6d. one steel pencil, value 3d. and one steel corkscrew, value 2d. the goods of Susanna Morgan, in the dwelling-house of Gilbert Duell, January 19. †

Susanna Morgan. I lost the things mentioned in the indictment (mentioning them by name) on the 19th of January.

Q. Have you seen any of them since?

S. Morgan. I found part of them on the prisoner the same day. I had recommended her as a servant to my sister, at Lambeth. When she was there she staid out one whole night; and my sister was afraid to take her into the house again; so she came to my apartment, and I let her lie with me on the Thursday and Friday nights. On the Saturday morning she got up, under pretence of going to light my fire in the fore room. I heard her busy with my petticoat, and said, what are you doing. She said, your petticoat is lying on the ground. I bid her put it on my shoulders, which she did. Soon after this I missed her, whereupon I got out of the bed, and saw there was no fire lighted in the fore room. She had left the street and yard doors open. Then I was informed one Ned Perkins and the kept company, so I went to justice Welch, and got a warrant and found her. She had then my purse, pencil, corkscrew and thimble; the thimble was marked, S. M. I asked her what she had done with my money. She said she had bought the cloaths she had on, and other things. I asked her what she had done with her own cloaths; and she said she had thrown them away, fearing I should advertise her in them. I asked her what she had done with my crown pieces. She said she had bought some things of Mr. Day, a pawnbroker, near St. Andrew's church, Holbourn; and had paid them away there. I went thither, and just as I came there, a boy came, and said, pray what are these half crowns a piece? Mr. Day's daughter said they are crown pieces; they are 5s. and 3d. a piece. The three crown pieces were lying with their heads uppermost, the coin of king Charles II. I said they were mine; and that one had the date 1679, another 1671, the other 1673, and desired he would keep them separate till produced in a court of justice. He said he would, and he took and looked at them; they were of the dates which I had mentioned. Then I went to justice Welch, and told him what I had done. He asked me if I knew any more. I said the prisoner had then my pockets on, which were produced. Mr. Welch sent for Mr. Day, saying he should be very glad to see him. Mr. Day returned for answer, My compliments to Mr. Welch, I am out of his jurisdiction. Then I went

to my Lord-mayor, had a warrant sign'd, and took Mr. Day up. When I came to Mr. Welch's, he produced my three crowns and three other crown pieces. I told him I wondered how three crown pieces could breed in another person's pocket, they never did in mine. The six crown pieces were laid down, the heads uppermost, on Mr. Welch's desk; who gave me a strict charge to take mine out as they then lay. I took mine out. Said he, are you sure they are yours. I said I was certain. Said he, look and see whether they answer as to the dates. They were defaced; that of 79, the tail of the 9 was taken out, and made 1670; that of 71, the 1 was taken out; and that of 73, was hard to be discerned. The dates were all fair and plain that day at between eleven and twelve, and when we were before the justice it was between three and four. (The pieces produced and inspected by the court and jury.)

Mr. Day. The prisoner came to my house on the 19th of January. She bought a cardinal for half a guinea, and a pair of stays, a bonnet and a handkerchief. I took of her two crown pieces and a guinea, out of which I gave her change. I received of her in the whole 11. 4s. 6d.

Q. Did you look at the crown pieces when the prosecutrix came to your house?

Day. I did not, and did not know what dates they were.

Q. Do you know any thing of their being altered?

Day. No, I do not.

Q. Did you send for answer to the justice that you was out of his jurisdiction, and would not attend?

Day. I said, I am out of his jurisdiction, notwithstanding that I will go, if you will stay till my wife comes home; the prosecutrix came in a fort of a passion.

Prosecutrix. The prisoner said she had a gown from Mr. Day's that morning, which cost her 8s.

Day. That is truth, she did, it came to 8s. and 2d. She used to pledge things with me, but I had not seen her for five or six months before.

Q. Had she ever bought any thing of you before?

Day. No.

Q. Was not you surprised when you saw her produce so much money?

Day. No; I do not ask people how they come by their money.

Prosecutrix. When I asked Mr. Day if he had any other crown pieces in his house, he said he had not.

The Constable. I saw the crown pieces at Mr. Day's house; the dates were fair on them all then, but they

they were not so when before the justice. The prosecutrix desired Mr. Day to look at the dates of each, which he did; and gave them into the prosecutrix's hand, one by one.

Prisoner's Defence.

She told me she would give me my liberty if I would tell her what I had done with her crown pieces.

For the Prisoner.

Ann Williams. I have known the prisoner some time, and never knew any ill of her; she has very good friends.

Elizabeth Colombians. I have known her seven or eight years; she is a very sober honest girl.

Sarah Saunders. I knew her two years ago; she had a good character.

Guilty, 39s.

80. *Henry Martin* was indicted for stealing sixteen pounds weight of bacon, the property of John Lacy.

To which he pleaded Guilty.

81. (M.) *John Petroman* was indicted for stealing one shagreen case with several drawing tools, made of silver, value 5s. and one shagreen case with several drawing tools, made of brass, value 5s. the property of William Peritt, January 23. 1

William Peritt. I am a plasterer, and lost the two instrument cases with drawing tools, as laid in the indictment. I had some reason to suspect the prisoner, at the bar (he being my barber's man) who was used to come in the room where the cases lay, and had been to shave me that morning that they were missing. After missing them, I apply'd to his master, who told me he had absconded. Then I went to justice Welch, got a warrant, and took him up. He produced the case of brass instruments to the constable.

Q. When did you take him up?

Peritt. I took him up on the 25th of January.

Robert Austin. I am a constable. On the 25th of January the prosecutor gave me a warrant to take up the prisoner. I went to his door, and saw him and his wife sitting by the fire; I wrap'd at the door, but they did not open it. I said, why do you not let me in? I saw him make motions to his wife not to let me in. Then I called again for them to open the door, and it was opened. I went in and told him I had a warrant for him, and on what account, and said I hoped he would help Mr. Peritt to his things.

again, saying, he wanted them for a great while. He said, he never saw them; but at last he said he had them, and sent his wife up stairs, and she brought down the case of brass ones. He denied having the silver ones; till in the coach going to the justice. Then he said he broke the silver ones from the steel, and sold the silver to a silversmith. We sent for the silversmith, and he recollected buying such silver of the prisoner.

Q. to prosecutor. Where did these instruments lay in your house?

Prosecutor. They lay on the cornish over my chimney, in the room where the prisoner used to shave me.

Patrick Roark. I had some pieces of broken silver brought to me by the prisoner at the bar.

Q. When?

Roark. It was about seven weeks ago.

Q. What are you?

Roark. I keep a shop at the corner of Hoston Garden. The prisoner asked me if I bought old silver, and shewed me some pieces of silver instruments. I asked him what was his business. He said he was a barber. I said, what use have barbers for compasses? He said, at his leisure hours he was a painter, and drew drafts; but these being of no manner of use to him, he would sell them.

Q. What quantity were there of them?

Roark. To the best of my remembrance they weighed an ounce and four pennyweights; but there being some steel on them (for which he allowed six pennyweights) I paid him four shillings and six pence for the silver.

Q. What sort of silver was it?

Roark. They were handles to compasses.

Prosecutor. My name was engraved on the silver cap to the case.

The prisoner had nothing to say in his defence, but called two witnesses, one of whom had known him three years, the other eight or nine, and both gave him that of a good character.

Guilty, 16d.

82. (M.) *Sarah Clayton*, single woman, was indicted for the murder of her female bastard infant, by casting it into a certain pond of water, in the grounds of Samuel Page, Jan. 31.

Henry Webb. I first saw an infant child dead in the pond of Mr. Samuel Page, at Ruslet, on the 30th of January: I was with a team of horses, and went away about my business. I did not see it taken out; it was frozen in with the ice.

Q. Was you examined before the coroner?

Webb.

Webb. I was.

Q. Do you know the prisoner at the bar ?

Webb. I do.

Q. What is her character ?

Webb. A very good one ; she lived with Mr. Page, and went to live with him last Michaelmas.

Cross Examination.

Q. What time of the day was this ?

Webb. It is the fore part of the day.

Q. How far is this pond from Mr. Page's house ?

Webb. It was about a dozen poles off.

Mary Groves. I took the child out of the water on the 30th of January.

Q. Was it a male or female child ?

M. Groves. A female.

Q. Do you live in the neighbourhood ?

M. Groves. I do ; I never had any suspicion of the prisoner being big before the child was found.

Mary Parrot. As I was going by the road I heard the water in that pond flounce, and saw the prisoner go away from the pond.

Q. When was this ?

M. Parrot. This was in January, but I cannot say the day of the month.

Q. Was it the same pond where the child was found ?

M. Parrot. It was.

Q. Was it the beginning, or middle, or latter end of January ?

M. Parrot. That I cannot say.

Q. Was it dark or light ?

M. Parrot. It was some time of the day ; it was light, but I cannot tell what time of the day.

Q. Did you see what made that flounce in the water ?

M. Parrot. No.

Samuel Page. I know there was a child found in my pond near my house ; the prisoner was my servant.

Q. Did you see the child in the pond ?

Page. I did, on the 30th of January ; it would have floated, had it not been frozen in with the ice. I had occasion on the 31st of December to go into the garret, and looking through where the prisoner lay, I was surprised at seeing a large quantity of blood on the floor. I went down stairs, and told my mother immediately, and said, 'I was afraid a murder had been committed in the house. She went up stairs, and came down and told me she was afraid so too. I know nothing more than by hear-say.

Q. Is she here ?

Page. No ; she is a very ancient woman, and it is dangerous to bring her here. After this I perceived the prisoner to grow visibly less.

Q. Are you a married man ?

Page. I am, but my wife was not then at home.

Q. Did you suspect the prisoner ?

Page. Yes ; she had not been in the house a fortnight before we suspected her, and had been with us from the day after Michaelmas, O. S.

Cross Examination.

Q. What character had you with her ?

Page. An extreme good one, and she behaved like a good servant.

Q. Whether she did not do her work as usual ?

Page. Yes, she went about her work as usual ; but I observed an alteration in her countenance.

Q. Did the blood appear to be fresh ?

Page. It appeared to be done that night.

Q. to Mrs. Groves. Did the child appear to be fresh thrown into the pond, or to have been there a month ?

Mrs. Groves. It bled fresh at the nose.

Q. to Page. Did any body examine under the bed, or in the bed ?

Page. My wife did, I believe.

Sarah Page. I was at London the last day of the old year, and when I came home the house was in great confusion, upon the sight of that blood. I asked my mother what was the matter. She said, *the old story* ; that was from the suspicion we had of the girl's being with child. Then my husband ask'd the prisoner if she had been at supper, if not, he bid her to take it, and go to bed. My husband went to bed, that was because my mother should have an opportunity to tell me all about it.

Q. Did she go about her business as usual ?

Mrs. Page. She did.

Q. Had you any other servant ?

Mrs. Page. No other but a man. Then my mother said she was in hopes it was but a miscarriage ; there had been something. The next morning I look'd into the room, and it had been mopped ; but I saw streaks of blood down the wall, and on the floor.

Q. What quantity of blood might there appear to be by the marks ?

Mrs. Page. There might be a hundred large spots of blood. I look'd on the ground under the window ; it was scratched about with a broom, but I saw no blood there, so we were in hopes it was but a miscarriage. We did not care to take the girl's character.

character away ; something of that nature there had been to be sure.

Cross Examination.

Q. Had you the girl examined on that ?

Mrs. Page. No ; we were careful of taking her character away.

Q. Did the girl continue with you ?

Mrs. Page. We kept her till the coroner was there. She was a good servant. She dined at our table, and used to say she was as well as ever she was in her life.

The prisoner had nothing to say in her defence, but called the following witnesses.

Hannah West. The prisoner lived servant with me three years ; she was a very sober, civil, modest girl, and went from me to Mr. Page's.

Q. Did she appear to be with child at the time she went from you ?

H. West. Not as I know of.

Mrs. Taylor. I am a midwife, and by the justice of the peace's order was obliged to search the prisoner after the child was found, on the 2d of February.

Q. If she had had a child about the latter end of December, do you think you should have discovered it ?

Mrs. Taylor. I think I should ; there were no marks of her ever having a child. I am very sure if she had had a child I should have known it, for I thoroughly searched her.

Acquitted.

83. 84. (M.) *Alice Smith*, and *Sufannah Pitford*, spinsters, were indicted for stealing one scarlet cloak, value 5s. the property of *Mary Taylor*, spinster, January 31. †

Mary Taylor. I lost a scarlet cloak on the last day of last month, from out of my master's shop, and found it the same day at Mrs. Burroughs's, by the Maypole in East-Smithfield, a pawnbroker.

Q. Had you seen the prisoners, or either of them, in your master's shop ?

M. Taylor. No.

Hannah Burroughs. I keep a pawnbroker's shop. About an hour before the prosecutrix came to my shop, Sufannah Pitford had came and pawned this cloak (*producing one*) to me, in the name of one Fox.

Q. Was Smith with her ?

H. Burroughs. No, she was not. I think Pitford said Smith gave it her to pawn, and before the justice

Smith owned she gave her a cloak to pawn, but did not say it was this cloak.

John Meadows. I believe I have seen this cloak upon Smith's back.

Smith's Defence.

I had a cloak from Margaret Fox, which she lent to me, and I gave it to Pitford to pawn ; but I cannot say that is the cloak.

Pitford's Defence.

She desired me to carry a cloak to pawn, which I did for half a crown, brought her a pair of stockings back as she had ordered, and gave her the rest of the money.

Both Acquitted.

85. (M.) *Ann Feary*, spinster, was indicted for stealing one iron pot, value 1s. and 6d. the property of *George Gordon*, January 17. †

George Gordon. On the 16th of January I lost an iron pot ; upon inquiring in the neighbourhood a servant of mine informed me he saw it at a broker's shop. (*Produced in court, and deposed to.*)

Mr. Franklin. I bought this pot of the prisoner at the bar, and the prosecutor came and owned it.

Prisoner's Defence.

I did not steal it ; a woman gave it to me to go and sell for her.

Guilty.

86. (M.) *Elizabeth Carlisle*, spinster, was indicted for stealing one silver watch, value 5l. the property of *William Walley*, privately and secretly from his person, February 3. †

William Walley. On the 3d of February the prisoner was standing at a door, two doors from Hog-Lane : I was going by, and call'd *bip, Moll*, and she followed me to the corner of the street, where I put my hands up her petticoats, and her hands were in my breeches.

Q. Are you sure you had your watch at the time you called *bip, Moll* ?

Walley. I am sure I had. About three minutes after I missed it, and pursued her, but could not find her till the Saturday after, when, by searching many publick houses, I found her at the Two-Brewers in St. Giles's.

Q. How did you do to know her ?

Walley.

Walley. By the light of the moon. I am very sure she is the person.

Q. Did you ever see your watch after?

Walley. No.

Q. What is the value of it?

Walley. It is worth five pounds.

Q. Did you know her before?

Walley. No.

Q. Did she confess anything?

Walley. No.

Q. Did you feel her hand in your pocket?

Walley. No.

Prisoner's Defence.

I never saw the man in my life before he came and took me up.
Acquitted.

87. (M.) *William Davis* was indicted for stealing a cock, value 2s. and eleven hens, value 5s. the property of *Frances Biggs*, widow, Jan. 31.†
Edmund Singer. I live with Mrs. Biggs, who lost some hens and a game cock. We took Davis up, and he owned the taking of the hens, but not the cock.

Q. What number of hens?

Singer. I know there were seven or eight: He owned he took a quantity out, but I don't remember how many.

Q. Where does Mrs. Biggs live?

Singer. At Craven-Hill, near Baywater, in the parish of Paddington.

Thomas Man. I don't know the name of the place; the prisoner and I took fowls from two places, about four or five miles from London, but I do not know whose houses they were. I saw none but hens that we took, but I do not know how many; we took some from a house that stands by itself in a large field.

Q. Were there half a dozen?

Man. Yes, I am sure of that.

Q. to *Singer.* Does Mrs. Biggs's house stand so situated?

Singer. It does, and so does the other where the fowls were lost.

Man. I was only at one house, from which we pulled the tiles off.

Q. to *Singer.* Was that your house?

Singer. No.

Edward Ayres. I was called from my work to go of a job, to earn a shilling; I went and there were the two soldiers, that is, the prisoner and the last evidence. They had got a wine hamper of about an hundred weight. They ordered me to carry it

to Turnmill-Street; there was a shilling left at the bar for my trouble. I pitched at the Flying Horse, in Tyburn-Road. I saw the wing of a fowl hang out, so I looked in and saw it was full of fowls. I asked the evidence how far they had brought that hamper, he said three or four miles: I asked him where he came from, he said such a place in Yorkshire. I said, what is become of the other soldier that had a game cock in his hand; he said he was gone to Carnaby Market, and would be there as soon as me. I went and carried the hamper to Turnmill-Street, to the house of one Crow, and left it there; that is all I know.

Q. to *Singer.* Did you charge the prisoner before the justice with taking these fowls?

Singer. I did, upon Man's evidence, and the prisoner owned it, and said he took them out of the hen house.

William Crow. There was a hamper brought to our house; William Davis came and took what was in it, it was emptied when I saw it. I imagine there had been fowls in it.

Susannah Crow. I was at home when the porter and Thomas Man brought the hamper. Thomas Man said, let me leave this hamper here till I go to the Two Brewers, in St. Giles's, to fetch my comrade, William Davis; he went away, and they came again, but I never saw the hamper opened.

Prisoner's Defence.

I was in company with Man, at the Two Brewers, near St. Giles's-Church. We were both in liquor; he asked me to take a walk into the country. I went with him, but did not know where we were going; neither do I know of any thing which he brought home. I have been a soldier thirteen years, and never was in confinement in my life.

Guilty.

[There was another indictment against him for a crime of the same sort.]

88. (M.) *Simon Webb* was indicted for stealing one silver watch, value 10s the property of persons unknown, February 23.†

Benjamin Veals. I am constable of the parish of Marybone, and the prisoner is servant to Mr. Marsh, a butcher; his master came to me and told me the prisoner had got a watch which he thought he could not come honestly by. I went, and charged him about it, he was fuddled. Then he said his grandfather gave it him. We put him in the round-house, till he was sober, and the next day he said his master sent him to Esq; Calderwood's, in Great Portland

Portland-Street; that he there saw a watch lying upon a table, and went in and took it away. I went there and examined the servants, but none of the family knew of any watch being lost there. Justice Wright, before whom we carried him, went also, and could not find any watch lost.

Mr. Marsh. I am the prisoner's master, I sent him to Esq; Calderwood's to see if any thing was wanted, as I serve the family. He returned in liquor, with this watch. First he said he had it from his grand-father, after that, when sober, he said he had it from out of Esq; Calderwood's parlour, from off a table; I went, but found no-body there had lost a watch; since he says he found the watch. He has lived with me about eight months. He is a sober, careful lad; he has taken money for me, I never could find that he ever wronged me of a farthing. He is of a poor family in the country. I should not scruple to take him again.

Thomas Meres. I am a butcher in the same market. I heard the prisoner say he stood in the passage near Esq; Calderwood's, the door was open and he saw the watch laying on a table in the parlour, so went in and took it.

Prisoner's Defence.

I found this watch in Cavendish-Square.

For the Prisoner.

Richard Fletcher. I was down in Gloucestershire, this lad then had lately had the small pox; his father is a poor man, and has got a large family. He desired I would get this lad a place, I came up and recommended him to Mr. Marsh, who was willing to have him, so I sent a letter for him to come up, and I never heard but that he has behaved exceedingly well.

Acquitted, the jury being of opinion he found the watch.

89. (M.) *Alice Clark*, widow, was indicted for stealing one pair of linen sheets, val. 3s. and one linen shift, val. 2s. the goods of James Murry, February 9. 1

Mrs. Murry. My husband's name is James Murry. I lost a pair of sheets and a shift, from off my line in the yard.

Q. Where did you find them?

Mrs. Murry. I found them on the prisoner. I was told she was just gone out of my yard, so I went and took her with the things in her lap.

Ann Goodwin. I met the prisoner with something in her lap, coming out of the prosecutor's entry; I told Mrs. Murry, and we pursued and took her with the things upon her.

Prisoner's Defence.

I know nothing of what she charges me with; I have no witnesses but the Great God and your Lordship.

Guilty.

90. *Elizabeth Green*, spinster, was indicted for stealing one copper tea kettle, value 6d. one linen sheet, value 6d. and three blankets, value 1s. the property of Robert Ashton, out of her ready furnished lodgings.

No evidence appearing, she was Acquitted.

91. (M.) *Thomas Smith* was indicted for stealing 120 halfpence, value 5s. the property of John Gaul, February 25. 1

John Gaul. I lost some halfpence, and there was nobody near but the prisoner, who was in the next room; he is an apprentice to a rug-maker, his master was then at our house; the halfpence were in my bar in a wooden dish (I keep a publick house) I do not know who took them, but we have found such a quantity, which the prisoner confessed he took, (produced in court.) He said he took them by the persuasion of a woman.

Q. How many did he confess he took?

Gaul. I charged him with taking some, and he said he had, but did not name what number.

Daniel Cook. I am the boy's master; the boy confessed he took about three shillings worth of halfpence, and that they were lodged at the next door.

Q. How old is he?

Cook. He is about sixteen years of age; he has been with me about three years, and always behaved well before.

Guilty.

92, 93. (M.) *Margaret Murphy* and *Daniel Dailey* were indicted for stealing 36 pounds weight sugar, the property of John and Thomas Mills, February 25. 1

John Grayson. I am headborough of the precinct of St. Catherine's. I met with the woman at the bar near our watch-house, and I saw she had got something. I took her to the watch-house, and there I found 26 pounds weight of sugar. We took her before justice Scott, where she said she bought it of a man in trowfers, like a sailor.

Q.

Q. What do you know of the other prisoner?
Grayerston. He came to give her a character, and offered money if we would let her go.

Samuel Wood. I am a wharfinger, and had many hogheads of sugar under the care of Dailey. I paid him a guinea a week. On the Monday morning a servant of mine came and told me a woman had been stop'd by the watchman in St. Catherine's, with some sugar upon her, and that she had sent to my watchman Dailey, who had offered them a guinea to let her go, and that she was at liberty, and my watchman had absconded. The woman used to come to bring him clean linen, so I knew her before. I found her, and she told me the same as has been mentioned, that she bought it of a sailor on Tower-Hill. I went and found that a hoghead of sugar under his care had been plundered, which was of the same sort. On weighing it, I missed forty-five pounds.

Q. Whose property was it?

Wood. It was the property of John and Thomas Mills. I took the man at the bar, and he had a drawn hanger at the time, which I thought was a little suspicious.

Murphy's Defence.

I bought the sugar of a sailor.

Dailey's Defence.

I never wrong'd my master in my life.

For Murphy.

Eleanor Dennis. I have known Murphy about half a year, and never heard any thing ill of her. Both Guilty.

94. *Laurence Adams* was indicted for stealing one silver watch, value 30s. the property of Josiah Mafcard, November 7.

No evidence appearing, he was Acquitted.

95. (*M.*) *Jane Burnith*, single woman, was indicted for stealing a silver watch, value 20s. the property of James Wills, privately from his person, January 29. †

James Wills. I met the prisoner in Ratcliff-high-way, I believe on the 28th of January, betwixt ten and eleven at night.

Q. Who spoke first?

Wills. I believe I did. I think I said, my dear, what do you stand here for?

Q. Was you sober?

Wills. I was a little in liquor. Our conversation was immodest, and we went into the house of Ann More, on Saltpetre-bank.

Q. How long did you stay there?

Wills. About a quarter of an hour.

Q. Did you go to bed together?

Wills. No, upon a bed.

Q. Had you your watch about you at that time?

Wills. I had. I looked at it when it was past ten o'clock. I neither stop'd nor staid, nor spoke to any body till I met with her.

Q. Had you any liquor at this house?

Wills. Only a pint of beer. She came out at the door along with me, where we parted. It could not be a minute before I missed my watch, and I returned directly.

Q. Did you ever see your watch again?

Wills. I took the prisoner up on the Thursday following; the watch was found, and is now in the officer's hands. I carried her before justice Bury, but she denied it; the justice committed her, and advised me to take a warrant against Mrs. More, whose house we were in. I did, and soon found where my watch was, by one Mrs. Kenady. The watch was pawn'd to one Mr. Ellise, a pawnbroker, and the officer went there and brought it.

Q. What is his name?

Wills. His name is Readbourn.

Readbourn. (*He produces the watch.*) This has been in my custody, ever since the prisoner was taken up.

Elizabeth Thompson. I pawn'd this watch, and had it of the man who bought it, a sea-faring man.

Q. When did you first see this watch?

E. Thompson. The man is a shipmate of my son's, and is gone to Jamaica with the fleet. I pawn'd it at Ellise's.

Q. What did you do with the money?

E. Thompson. He owed me money, therefore I kept it.

Thomas Ellise. I am a pawnbroker; I saw such a watch as this, which Thompson brought and pawn'd to me, the day the prisoner was taken up.

Prisoner's Defence.

I found this watch upon the bed on a Sunday night, when I was making it. Mrs. Thompson said it was worth no more than ten shillings, and gave me ten shillings for it; please to examine her again.

Q. to *E. Thompson.* Did you buy this watch of the prisoner?

A a

E.

E. Thompson. I never saw her have a watch in my life.

Guilty of stealing, but not privately from his person.

96 (*M.*) *Catherine Beard*, widow, was indicted for stealing one guinea, the money of Charles Day, Jan. 26.*

Ann Day. My husband's name is Charles. We keep a publick house, called the Crown and Sieve, in Clare market. Mr. Masckall, a bricklayer, pays his men at our house every Saturday night. I had told him out thirty-six shillings, and then he wanted silver for a guinea more. He laid down his guinea on the bar, and walked towards the fire. I said to him, this is a very plain guinea; his answer was, it is a very good one. My husband then knock'd for me to come down stairs. Then Catherine Beard came in for half a guinea in silver, and I said I would change her none, because she had brought me no silver all the week. [She used to bring me silver for gold.] Then she said, if you will give me silver for this half guinea, you shall have all the silver I take next week, so I said I would change it. She took the guinea that Mr. Masckall had laid upon the bar.

Q. Did you see her take it?

A. Day. I did, and saw her put it to her bosom. I said, don't play the fool, you have got the guinea, give it me. She said, *Geago*.

Q. What did she mean by that?

A. Day. I don't know the meaning of the word. Then she walked towards the fire-place, and I insisted on searching her for the guinea. She would not be searched, but hit me on the breast, and I let her go. She got to the door, and broke the pulley of it to get away. After she was gone we fetch'd a warrant for her. She staid away for about half an hour, when she came in again, and desired we would search her.

Q. When was this?

A. Day. This was on Saturday the 26th of January, about eight at night.

Q. from prisoner. Did not you ask Mr. Masckall for the guinea?

A. Day. No, I did not

Ann Pool. I was sitting by the fire in Mrs. Day's house, when the prisoner at the bar came in, and asked Mrs. Day for half a guinea in silver. I turn'd my head round, and saw her hand on the bar. The prisoner ran to the fire, and said *Geago*. After that she broke the pulley of the door, and away she went. I might say *Geago* too.

Q. What is the meaning of that word?

A. Pool. I don't know.

Sarah Higinbottom. I went into Mrs. Day's house for a pennyworth of beer. Mr. Masckall laid down a guinea on the bar, and Mrs. Day said it was a plain one. After that, Mrs. Day said, Mrs. Beard, you have got my guinea. Mrs. Beard ran out at the door, and broke the pulley of it.

Nicholas Masckall. I am a bricklayer. About eight at night on the 26th of January, I was paying my father's men, and wanting a guinea in silver, I went to the bar, and laid down a guinea. Mrs. Day looked at it, and said it was a very plain one. I said it was a very good one, and went to the fire-side. The prisoner came in for half a guinea worth of silver, and Mrs. Day said she *would not or could not* give her any. Presently Mrs. Day said to her, you have got my guinea, and insisted on her being searched, but she ran to the door, broke the pulley, and went out.

Q. Did you see her take the guinea?

Masckall. No, I did not. After we were gone to the justice's, I was told she came in again, and wanted to be searched.

Q. from prisoner. Whether Mrs. Day did not go to you and say, Mr. Masckall, where is my guinea, when you said you gave it her, and she with an oath said you did not?

Masckall. She might say I did not give it her, but I can't recollect it; if she did, I know she own'd that I gave it her.

Mr. Shipley. I am a constable. When I had the prisoner in charge, I heard her offer to pay Mrs. Day half a guinea down, and 18d. a week till the remainder of the money was paid.

Prisoner's Defence.

I never saw the guinea, Mrs. Day charged Mr. Masckall with having it, and I never offered to give her half a guinea, or any money at all.

For the prisoner.

George Foster. On a Saturday we were ordered to be paid at Mr. Day's house.

Q. What are you?

Foster. I have work'd for Mr. Masckall five years. We sat down, and drank beer and hot. My master came in about a quarter of an hour after us, and asked for change for a guinea, but whether he carried any money or not to Mrs. Day, I know not; I suppose it was for change to pay us, there being four or five of us to be paid. My master then turned his back to the bar. Mrs. Day went

went to call her husband, as I suppose; but the case was this, she went back again into the bar, and said she missed a guinea, and said, Mr. Masckall, you have not given me the guinea. Yes, said he, I did. Another man said he saw Mrs. Day take it up. Then she said, d—n her blood, he never gave her the guinea, search me; it was not found. Then she went directly, and said this old woman (which was the prisoner) had got the guinea. Said the prisoner, I know nothing of it, I wish you would give me change for half a guinea, for I have a customer at my stall. The prisoner went and sat down by the fire for the space of four or five minutes. After that Mrs. Day swore, G—d d—n you, you have got my guinea, and I will swear you took it up; that is all I have to say.

James Rolfe. I work for Mr. Masckall, and we went there to be paid. There being words about a guinea, I said to my master, I wish you would pay us as soon as you can. As I was going away the prisoner came in, and said she wanted change for half a guinea. Mrs. Day said, you brought me no silver last week. Then the prisoner said she would bring her all the silver she could the next week. Then Mrs. Day said, Mr. Masckall, you did not give me the guinea. I did, said he. You did not, and I'll swear it, said she. Then she turn'd herself round, and said to this woman at the bar, you have taken the guinea, if you have don't fright me; the prisoner said I have not I declare.

— *Randall.* I saw the prisoner come into the house in the first place, and ask for change for half a guinea. The other said she would not let her have any, went from out of the bar to the stairs, which are facing the bar, turned back again, and said she missed a guinea, which is all that I have got to say.

Acquitted.

97. (M.) *John Ambery* was indicted for that he unlawfully, knowingly, and designedly, by false pretences, did obtain from Charles Vere eight china punch bowls, 24 china coffee cups, six china tea cups, six china saucers, six china plates, and six wine glasses, with an intent to defraud and cheat the said Charles Vere of the said goods, to the amount of 3l. 13s. his property, Dec. 12. †

Charles Vere. I keep a china shop at the corner of Salisbury Court, Fleet Street. The prisoner came to my house, about five in the evening, on the 12th of December last, and asked to see some china punch bowls, and said that he had taken a

coffee-house in the neighbourhood (he appeared dressed like a gentleman) and that he chose to lay out his money with his neighbours. After he had made choice of some china and wine glasses, he wanted to have a bill made out, and said, I beg you will make me a bill of parcels of the whole, for my name is ready money, which he said over and over. I asked him where he lived, and he said he had taken the Apollo coffee-house, in Apollo Court, near Temple Bar. I asked him his name, He said, my name is John Ambery. Then I wrote the bill. He look'd over it, and said it is very right, please to put a receipt to it, I hope you have charged me at the lowest, send them to the coffee-house, for I shall be at home, and I will pay the servant that brings them, and then went away. I called my servant, James Amson, and bid him carry those things to the Apollo coffee house, and told him that the person who had bought these goods had a very good appearance, but I don't like the situation of the house, so bring the money or the goods again. He put the things into a basket, and in about half an hour's time carried them there: He is in court, and can best tell what was done afterwards.

Q. Was it proposed, betwixt the prisoner and you, that you should trust him?

Vere. No, no; he said his name was ready money, that he had laid out near 400l. in coming into the house, and that he chose to lay out his money with his neighbours. At first he proposed to pay me in my shop, but at last said he should pay the person that brought them, and that he was going home about some business; the agreement was that of ready money for the goods.

Q. *from prisoner.* Did you send the china at once or twice?

Vere. The whole of what he bargain'd for then was sent immediately; but afterwards there were other goods sent, which came to 5s. 6d. which my servant can give an account of, when he comes to be examined.

Q. Tell the court what you know of your own knowledge.

Vere. My servant came back without either money or goods. I then imagined I was trick'd out of them. My servant told me the prisoner's wife order'd him to carry half a dozen china plates about ten o'clock next morning, and then he should be paid for the whole. I sent him with them, and gave him strict orders not to leave them without the money, as he had done the others; but he came back without the money or plates. As he will tell the

court

court what passed there, it will be needless to relate what account he gave me at his return.

Q. What did the first parcel which he bought in your shop come to?

Vere. It came to 3l. 7s. 6d.

James Amson. I am servant to Mr. Vere, and carried some goods by my master's order to the prisoner's house in Apollo-Court.

Q. What goods?

Amson. There were eight china bowls and several other things, I can't say exactly what quantity; my master order'd me not to leave them without the money, and I said I would not.

Q. Who put them into the basket?

Amson. I did.

Prisoner. I admit the receiving the goods.

Amson. When I came to the prisoner's house I saw him there, I had the bill of parcels and a receipt upon it. The prisoner said, Well, my lad, what have you got? I told him I had brought the china. He said, Well, my lad, set it out, and I will call my wife down. I set it out, and then he asked me to drink a glass of rum or something. I drank a glass and he another, and then he forced another upon me. Said he, See how my vessels are tumbled about, but I have teen better days; it has cost me 400 l. coming in here. Then his wife came down, and said she liked the china very well. I gave him the bill and he read it over, and she took some of the things away. Then he called for a bottle of wine, and asked me if I would drink again. I refused it, but he swore I should. He then called for a pair of scissars, the boy brought them, and he was going to cut the receipt from the bill, when I asked him what he meant by doing so. Said he, you must go home, and fetch half a dozen china plates, and then I will pay you for the whole.

Q. to prosecutor. Did the prisoner bespeak any china plates of you?

Prosecutor. No; but he said he should want some other china soon.

Amson. I told him I was ordered not to leave the goods without the money, but he said, several times over, "Go your way, and bring the plates." I told him I must either have the money or the goods, and then we got to high words. After I had been there almost an hour he said, "The goods are deliver'd; you can't touch the goods, the goods are mine, you may go and tell your master that they are mine."

Q. Did he cut off the receipt?

Amson. No, I would not let him do that, I prevented him; I said I must either have the goods or the money, I will stay with you till I have

one of them. When he found I would not go out of the house, he laughed at me, and said, *I should have misster*; he asked me if I would drink again, and called for more wine, but I would not drink any. He swore I should have neither money nor goods. His wife came down stairs, and said, you must not mind my husband, he is in liquor, come to me in the morning, and bring half a dozen plates about ten o'clock, and you shall have the money for all. Then I went home, and told my master what had happened. My master sent me in the morning, but ordered me to be careful that I was not tricked out of the plates, and not to leave them as I had done the rest. I went, and when I was at the door, there came a strange woman, who said, my mistress is upstairs, I will take them up to her, and she will come down and pay you. I delivered them to her, and she carried them up. Then the mistress came down, and said, my husband is gone out with two countrymen, to buy some goods, and I expect him to be in every minute. I said there a godd while, till after eleven o'clock, and he not coming, I asked her to let me have the goods again. She said, there was nothing but what her husband had ordered, and I should not touch any thing. Then I asked her to let me have the plates again. She said, it was all by her husband's order, and I should not touch any thing. I came away, and went again two or three times that day, but never could see him.

Q. from prisoner. Was not you offered some money?

Amson. No, I was not.

Q. from prisoner. Did I not order you to bring half a dozen plates the next morning, and say you should have the money?

Amson. Yes, he did tell me so; but I carried the plates the next morning by his wife's order.

Q. from prisoner. Did you deliver my wife a bill?

Amson. I was ready to deliver one, if she would have paid me.

Prisoner's Defence.

This evidence said his master had transported one man for such a fact, and I should be transported, right or wrong. He would not deliver the bill to my wife, and she could not pay him till he did.

For the Prisoner:

Amey Pinborn. I was upstairs at Mr. Ambery's house when half a dozen plates were brought up by a woman to my mistress, who went and took out money

money, both gold and silver, and went down stairs. I heard her say, here, if you'll give me your bill and receipt, I will pay you, but he would not; they had several words, but what they were, I do not know.

Q. Are you certain you heard the words you have mentioned?

A. Pinhorn. I am sure I did. I am positive she said, if you will give me the bill and receipt, I will pay you the money.

Q. Did you see the man?

A. Pinhorn. I did.

Q. Is this the man that gave evidence last?

A. Pinhorn. I do think it is the same man, to the best of my knowledge.

Q. to Amson. Did you see this woman there?

Amson. I never saw her in my life before, to my knowledge.

Q. Are you certain you did not see her in Amson's house?

Amson. I am certain I never did.

Q. to A. Pinhorn. Will you be positive as to this man?

A. Pinhorn. I will not be positive, but I think he is the man, and saw him; but of being with him, I cannot say.

Q. Look at him once more.

A. Pinhorn. I do think it is the same man.

Q. Will you swear what was the reason the man would not take the money; there is a man that had delivered goods the night before, and he came with a fresh order; he has delivered them, and the mistress comes down stairs and offers to pay him the money, but he would not take it.

A. Pinhorn. She would not pay him without the receipt and the bill, and he would not give it to her; I did not stay to listen to what was said, for they had a great argument.

Q. Did he, at that time, say whether he had the bill and receipt about him or not?

A. Pinhorn. I have no more to say; I heard no more.

Q. How came you below?

A. Pinhorn. I came down to look after her; I lived there till there were people in possession of the house. Then my mistress said she had no occasion for me.

Q. to Amson. Was there any discourse between the prisoner's wife and you about the bill and receipt?

Amson. No, there was not; she never mention'd the bill and receipt to me that morning.

Guilty.

See No. 44, in Sir Charles Asgill's mayoralty.

98, 99. (L.) John Guest, and Thomas Smith, were indicted for that they, on the 2d of February, about the hour of five in the night of the same day, the dwelling house of William Howes did break and enter, and steal out from thence thirty pair of silver shoe-buckles, value 16l. six pair of knée buckles, value 24s. and four silver stock buckles, value 10s. the goods of the said William.

Smith pleaded guilty, and was taken from the bar.

William Howes. I am a silver-smith, and live in Fleet Street, between the two Temple gates, facing Chancery Lane. About five in the morning, on the 2d of this instant, I heard a noise in my house. When I came down, I found the window shutter of my shop was taken down, and I saw a hand picking out my buckles at the end of the window.

Q. Was it light or dark?

Howes. It was very moon-light.

Q. Was your shop secure at going to bed?

Howes. It was bar'd up with an iron bar, and a staple; the end shutter goes in first, and they are key'd secure with a bar; but, upon examining it, they had bent the bar into a triangle, just enough to clear the end shutter, which they had taken down and carried three or four doors off, where I found it. I had no opportunity of laying hold of the hand, the window being glazed on the inside as well as without. I called up to my wife, and desired her to open the dining-room window, and call the watch, which she did. She told me she saw a man run away up Chancery Lane. When I came to look over my things, I found I had lost more than I have laid in the indictment, but am sure I lost what are laid. The loss of the whole is to the amount of twenty guineas. I advertised it in the Monday's paper, with a reward of five guineas.

Q. Where was the watch at that time?

Howes. That was the first morning of the watch going (sooner than usual for the winter, so they were just gone off). On the Monday there came a messenger from Mr. Welch, and desired I would step to him, for they apprehended they had got the man that rob'd my shop. I went, and there was the prisoner Guest, whom they had searched before I came. I was shew'd some silver buckles broke all to pieces, so that it was impossible to know how many pair there were; but I saw by the marks and patterns that they were mine. I have some odd buckles, which they left behind, that are fellows to some of them. (Producing some.)

There Guest acknowledged he had been concerned with one Smith in several robberies besides mine : He also declared in what manner he opened my shop, and told us where he had fold some of my buckles, upon which the justice sent a search warrant. I went there (it was to one Mrs. Montgomery's) and found some of my buckles. After I was come home, I had another messenger from Houndditch, from Mr. Thomas Smith : I went there, and he had taken the prisoner Smith, who has confessed the indictment, in offering some of my buckles to sale.

Q. Is your shop part of your dwelling house ?

Howes. It is.

Joseph Goston. The prisoner Guest came to offer a coat to sell at my master's, a salesman, in Monmouth Street. We heard that Mr. Lee had had his house broke open, and lost an alapeen coat ; the prisoner offered such a one, and asked nine shillings for it. I asked him how long he had had it. He said it had been in pawn nine months, and that it was made for him ; I observed it was not near big enough for him. I took hold of him, sent for Mr. Lee, and kept him in our shop till Mr. Lee came. Then we took him before justice Welch. I finding he had something in one of his pockets, felt in it, and found some chafes of buckles, and the constable took out some broken silver buckles from another pocket. Then I told him he had broke the gentleman's shop open in Fleet Street, which I had seen in the Advertiser. He acknowledged he did break it open, in company with one Smith. Then the justice sent for Mr. Howes, who came, and we found the very same marks on the buckles as he had advertised ; he swore to them. We found in the prisoner's pocket such a tool as the brewers coopers make use of to take out the bungs of their vessels. The prisoner said they used that first to bore with, then they took down a shutter, and he put on his glove and broke a pane of glass.

Mrs. Montgomery. I am a silversmith, and live in Cambridge Street. I bought some buckles, broke all to pieces, of the prisoner at the bar, I did not know whether they were new or old ; there were about four ounces of them.

Q. What did you give for them ?

Mrs. Montgomery. I gave 19s. for them.

Prisoner's Defence.

Thomas Smith broke the shop open, but indeed I was with him. The watch went off at five, and

it was six o'clock when we did it. The justice told me he would admit me an evidence, if I would tell all.

Guilty, Death.

They were a second time indicted for burglariously breaking and entering the dwelling-house of Sarah Stafford, and stealing from thence two linen shirts, value 4s. nine handkerchiefs, and one piece of Irish linen, the goods of the said Sarah, Jan. 23, and Mary Middleton, not yet taken, for receiving the same, knowing them to have been stolen.

To which Smith and Guest pleaded guilty, Death.

There were two other indictments against Guest and Smith, and also many detainers lodged against them upon the kalendar.

100. (M.) Margaret Maguire, single woman, was indicted for stealing one copper pan, commonly called a preserving pan, value 3s. the property of John Mullings, February 25. †

John Mullings. I live in Hog-Lane. On Friday last my wife was within side my shop, and seeing the prisoner take a preserving pan from my shop window, she called to me ; I was backwards. My wife pursued, and before I could get up to them the prisoner delivered the pan to my wife. She said she was going to shew it to a person.

Q. Did you see the pan in the prisoner's hand ?

Mullings. I did, and saw her deliver it to my wife.

Q. How far had she carried it ?

Mullings. She had carried it about thirty yards.

Q. What are you for witness ?

Mullings. I am a smith. The pan was my property : I had seen it not ten minutes before.

Prisoner's Defence.

I did not take it ; he saw nothing at all of it : I never stole a pin's point in my life. I leave it to the jury, and to your honour : I am a poor Irish-woman.

Guilty.

101. (M.) Mary, wife of Thomas Stebens, otherwise Mary Burch, was indicted for stealing one silver marrow spoon, four silver tea spoons, one silver table spoon, one silver porringer, three pair of linen sheets, one tablecloth, and five napkins, the goods of Harry Pollard, January 18. †

Harry Pollard. The woman that was taken up first died two or three days ago, her name was Mary Chambers. She had gone on trust to my butcher, and several trades people. She was my servant,

servant, and the prisoner was not, but was a naughty hanger on, and was often in my house unknown to me.

Q. What are you?

Pollard. I am clerk to the Clothworkers company. When I was examining Chambers, the prisoner came down in a great fury, and said she would discover every thing. She began and told me Chambers had carried out things herself, and that she had carried things to two or three pawnbrokers for her out of my house, and told me where the pawnbrokers lived. She said she brought all the money to Chambers, and Chambers never gave her but one six-pence.

Q. Did she say she at that time knew them to be your goods?

Pollard. I can't say that.

Q. When did she say they were carried out?

Pollard. That I don't know.

Q. Was the prisoner trusted by you with any of your goods?

Pollard. No; I always, when I have seen her, bid her go about her business, and told her she had no business at my house.

John Biggs. I was at Mr. Pollard's on the 18th of January last. The prisoner came down stairs, and said she had carried a great many things out to pawn. I asked her what they were. She told me a silver porringer, for two guineas; two pair of sheets, for 14s. two tea spoons, for 2s. a tablecloth and five napkins, and another pair of sheets, which she pawned in the name of Mary Burch. She mentioned all the things, except the marrow spoon, which Chambers own'd she pawn'd. The prisoner went along with me to the pawnbrokers, where she own'd the pawning of them.

Thomas Grant. I am the upper beadle of the Clothworkers company. Mr. Biggs, the prisoner at the bar, and I, went to the pawnbrokers on the 21st of January; at one pawnbroker's we found a porringer, two pair of sheets, and a table spoon, in the name of Burch; then we went to another, and then to a third, and found the rest of the things. She owned to Mr. Biggs and myself, that she took them out of the house as Mary Chambers had given them to her, and pawn'd them.

Q. Did she say whose goods they were?

Grant. Yes, she did, in Mr. Pollard's parlour; she said she knew they were Mr. Pollard's (the goods produced in court.)

Mr. Pollard. I can only speak as to the plate; there is I.P.S. on the porringer, and the tea spoons are mark'd with P.

Prisoner's Defence.

Chambers said they were her own, and I did not know to the contrary till some time after I had carried them, when I went to Mrs. Chambers, and told her, if she did not help me to money to fetch them again, she would not only bring herself into trouble but me too. She said, I should come into no trouble about it. I told her, that if she would not give me money to pay for the things, I would tell her master; and I did mention every thing. I never had a halfpenny of Chambers for carrying them, I never saw them, they were tied up.

For the Prisoner.

Elizabeth Beard. Mary Chambers said the goods were her own. I was going home with my work, and the prisoner along with me, when we met Chambers in Falcon Court, on the other side of the water; she said to Stevens, I am going to your house, I want you to do an errand for me, seeming very unwilling (as I was a stranger) that I should know what her business was; Stevens said to her, you may speak before this woman, for I am not afraid of her; then she pulled out a silver tea kettle and stand, and desired her to carry them; Stevens said, I am afraid to carry them, and Chambers said you need not, for they are my own.

Q. Did you ever know her to pawn any other things?

E. Beard. No, she is a very honest woman; we lived together in one apartment.

Nathaniel Jones. I have known her ten years, or better, and never heard any thing but a good character of her.

William Hopkins. I have known her about six or seven years; she is a very honest woman, and has three or four small children to bring up.

Thomas Foldin. I have known her ten or twelve years, and never knew any thing of her but that she was a very honest sober woman.

Sarah Selby. I have known her above a dozen years: She lived next door to me, and bore a very good character, and has endeavour'd hard for four children.

Acquitted.

102. (M.) ~~Walter Smith~~ was indicted for stealing six silver tea spoons, value 6s. one copper pot, value 1s. one large drinking glass, value 1s. three table knives, value 1s. and three table forks, value 1s. the goods of James Beete, Jan. 25. †

James

James Beete. About September last the prisoner was an assistant in my garden, in cutting the trees. I had one evening missed six silver tea-spoons, and some other odd things. On the 24th of January last I had information that the prisoner had these things on his premises. I went and got a search warrant of justice Welch, which I put in execution, and found the things mentioned in the indictment in his house. [Produced in court, and deposed to.]

Q. Where did he live?

Beete. He has a little house at Hampstead.

John Taylor. I am a constable, and found these things here produced in the prisoner's house; he said he found them on Mr. Beete's premises.

Beete. The prisoner is a very active, industrious servant.

Prisoner's Defence.

I found these things on Mr. Beete's premises.

Guilty, 10d.

103. (M.) *Ann*, wife of *Thomas Hewet*, was indicted for stealing one silver watch, value 40s, the property of *Robert Randall*, privately and secretly from his person, Dec. 31.

Robert Randall. I was going out to get my supper about nine o'clock at night.

Q. What are you saying, master witness?

Randall. I am a servant to Mr. Wells in Piccadilly, who is a painter and glazier. The small box was in our family, and I never had it, so I had my victuals out of the house. I had my watch in my pocket, and the prisoner at the bar came and sat down by me when I was in the publick-house.

Q. Where was this?

Randall. At the George in Piccadilly.

Q. Did you work in your master's house, and go out to eat your victuals?

Randall. No, I was at work in the Strand. After I went out of the publick house the prisoner at the bar followed me, and desired me to go along with her.

Q. To go where?

Randall. I do not know the name of the place, but she carried me up a court.

Q. What happened there?

Randall. Nothing at all.

Q. Did any thing happen to your watch?

Randall. Yes, the prisoner took it out of my pocket, and ran away directly.

Q. When was she taken?

Randall. I never set eyes on her till about a month after wards, when she came into the neighbourhood again.

Q. How old are you?

Randall. I am nineteen years old.

Q. What conversation past between you in the court?

Randall. She asked me whether I would give her any thing to go with her. I told her I had nothing to give her. I took her before justice Cox, and gave the same account to him as I do here. She would not own that she knew any thing of my watch or me either, but when she was going to Bridewell she confessed to the constable she had taken my watch, told where she had pawned it, and it was found accordingly.

John Fear. There came a boy to me, and said, there was a woman that was a thief, at such a house.

Q. Was it this lad, the prosecutor?

Fear. No, it was another lad. I said you must get a warrant to take her. He said he would be gone away before they could get one. I went with him to the Castle, in Swallow-Street, took the prisoner in custody, put her into the watch-house, and in the morning I carried her before justice Cox, who committed her to hard labour for ten days in Bridewell. The prisoner said, I had rather go to Newgate than to Bridewell, for they lie there on boards; and as we were going together in the coach, she said that this lad was going to be concerned with her, that he had no money, but gave her his handkerchief, and that she pretended somebody was coming, whip'd out his watch and ran away with it, and told me she had pawn'd it for 30s. at a house behind the New Church in the Strand, but could not tell the people's name. I went and told the boy's master of it, who went with me to justice Cox, and from thence to the pawnbroker's, and there found the watch, pawn'd in the name of Thomas and Ann Hewet, as she had said; the boy had before described it.

Q. How did he describe it?

Fear. He said it had a copper pendant; it was pawn'd, as she had said, for 30s.

John Fryer. I am a pawnbroker. On the 4th of December last the prisoner at the bar pledged a watch with me for 30s. [Produced in court.]

Prosecutor. This is my watch, and the same I lost, as I have mentioned.

Prisoner's Defence.

I know nothing at all about the affair.

Guilty of stealing, but not privately from his person.

104. (M.) *Alice Jones*, spinster, was indicted for stealing three ounces of silk, value 2s. one linen shirt, value 4s. three yards of cotton, value 3s. one yard of lace, value 2s. three quarters of a yard of linen cloth, value 1s. and three yards of blond lace, value 4s. the goods of *Simon Mackensie*, Jan. 23. †

Simon Mackensie. I lost the goods laid in the indictment, mentioning them by name.

Q. Where do you live?

Mackensie. I live in Broad Street.

Q. When did you lose these things?

Mackensie. In the month of January. They were missing when the prisoner was our servant; but when she was gone away we had information of her having some of my things. I went and got a warrant, searched her lodgings, and found the goods mentioned.

Q. What are you?

Mackensie. I am a haberdasher. I charged the prisoner with having taken the things from me, and she confessed she did.

Q. Did she say from what part of your house she had taken them?

Mackensie. She said she had taken them from out of a box in the two pair of stairs room. We took her before justice Fielding, and he committed her. The constable has got the goods, but he is not here.

Q. What is his name?

Mackensie. His name is *Michael Saunders*.

Mary Riley. I live in Market Street, St. James's Market. I had recommended the prisoner to Mr. Mackensie, and found afterwards she was not worthy the character I had given her. She being in custody for some other offence, I went and informed the prosecutor, that if she had wrong'd him, he might know where to find her. He took out a search warrant, and got a constable. I went with them to her mother's house, where she lodged, and found the things in a box mentioned in the indictment.

Q. Do you know whose box it was?

M. Riley. The prisoner had the key of it in her pocket. She took up first one thing, then another, and said, this is your's, and this is your's, acknowledging them to be Mr. Mackensie's property.

Q. Was you before Mr. Fielding?

M. Riley. I was.

Q. What past there?

M. Riley. I do not recollect what past there.

Q. to prosecutor. Did you make the prisoner any promise of pardon, on condition of her confessing?

Prosecutor. No, I did not.

Michael Saunders the constable was called upon his recognizance, but did not appear.

Prisoner's Defence.

A young woman, an acquaintance of mine, sat up with me to wash and iron, and I went to lodge with her in the same house, but not in the same room. She desired she might be paid for the box before it was broke open. If I had known of these things being there, I had time enough to have made away with them, as Mrs. Riley said she would be as great an enemy to me, as she had been a friend.

Guilty.

[There was another indictment against her.]

105, 106. (M.) *Rachael Davis*, widow, and *Mary*, wife of *John Durning*, were indicted for stealing one cloth cloak, value 2s. and one shirt, value 4d. the property of *John Crawley*, January 23. †

Hannah Crawley. The two women at the bar came into my shop to buy a cap.

Q. What are you?

H. Crawley. I sell old cloaths. I missed a cloak and shirt after they were gone. I took them up, and charged them with taking them. *Rachael Davis* confessed she had taken them.

Q. What said Durning?

H. Crawley. She said she knew nothing of them.

Q. from *Davis*. Did not you give me the cloak?

H. Crawley. No.

Q. Did you lend it her?

H. Crawley. No.

Henry Williams. I happen'd to come by the prosecutrix's house when she said she had been rob'd. *Durning* was then in her shop. I was charged to assist. *Durning* said she was innocent, and told us where to find *Davis*. We went as directed to *Swallow Street*, next door to the *Black Bull*, where we found her hid in a closet. We took her, and as we were bringing her along, just by the new burying ground, she owned she had taken and pawned the cloak for a shilling, and where. We went and found it accordingly.

Q. to prosecutrix. Where is the cloak?

Prosecutrix. We found it, but I have not got it here.

Davis's Defence.

I went to that woman's shop to buy some caps, and there was the cloak. I said I would buy it, thinking she wanted money; so I went and pawn'd it, in order to get money to pay her for it, she being a poor woman.

Davis Guilty, 10d. Durning Acquitted.

107. (M.) *John Cheltn* was indicted for stealing eight dozen of combs, value 9s. six pair of silk stockings, value 3l. and three pieces of silk for breeches, value 3l. the property of persons unknown, February 23. †

As neither of the witnesses could swear he was the person taken into custody, he was Acquitted.

108. (M.) *Mary Wilcor*, widow, was indicted for stealing two holland shirts, value 13s. the property of *Sufannah Cobb*, January 23. †

Sufannah Cobb. The 22d of February was my washing day; the prisoner at the bar lives below me. She has no other way from her apartment but through my wash-house. I left her in the kitchen when I went up to breakfast, and when I came down again I found her there. Upon missing one shirt, I asked her if any body had been there in the time I was absent, and she said there had been nobody there. I took her before justice Fielding. I had lost one shirt the week before. She owned she had taken and pawn'd the two shirts; one at Mr. Gunston's, in Germain-Street; the other, at Mr. Watson's, at the end of Coventry-Court, the last of which I found (produced in court and deposed to.)

Q. from prisoner. Did not you lend me this shirt?

Prosecutrix. No, I did not.

Henry Stockdale. I am servant to Mr. Watson, a pawnbroker; the prisoner at the bar pawn'd this shirt (here produced) with me, on the 23d of January.

Q. How much did you lend her upon it?

Stockdale. I lent her 7s. upon it.

Prosecutrix. Mr. Gunston has got the other shirt, but he is obliged to attend at Hicks's-Hall on another affair, and cannot be here; I have seen it, it is my property, that is, it was in my charge; I take in washing, and am accountable for any things that are lost.

Prisoner's Defence.

I am not guilty.

Guilty.

109. (M.) *Thomas Smith*, blacksmith, was indicted for the wilful murder of *Benjamin Harthill*, January 29. He also stood charged on the coroner's inquest for manslaughter. †

William Shirlock. The prisoner, the deceased, and others of their fellow workmen, had been drinking pretty plentifully at the Valentine and Orson, in Goswell-Street.

Q. What are you?

Shirlock. I keep that house; after some time words arose.

Q. Who was in company?

Shirlock. There were nine of them in all; there was the deceased's son. I did not know them all.

Q. What liquor had they had?

Shirlock. They had eighteen full pots of beer together.

Q. What were the words about?

Shirlock. They were about their trade, which was the best workman.

Q. What were their trades?

Shirlock. They were nailers and rivet makers. The deceased's son was fighting with the prisoner.

Q. Who were the words between?

Shirlock. They were between the prisoner and the deceased's son. The deceased's son said the prisoner's father was a thief and a rogue, which provoked the prisoner to strike him, upon which they began to fight.

Q. How long did they fight?

Shirlock. They fought I believe near half an hour, and then they parted and sat down in a box together. The deceased and his son sat opposite each other in the box. Then the prisoner said to the son, whom he had been fighting with (very coolly) what do you know of my father, or any of my family, that you should use such language. Harthill equivocated a little, but the father, who sat opposite to him, started up and said the prisoner's father was a rogue and a thief. Then the prisoner struck him one blow, on the right side of his head, with his left hand.

Q. Was it with his flat hand, or double fist?

Shirlock. I can't say which.

Q. What sort of a blow was it?

Shirlock. It was a swinging blow like.

Q. Is the prisoner right or left handed?

Shirlock. I believe he is right handed, but he was on that side the box that lay for his left hand.

Q. Did that blow seem to affect him?

Shirlock. It did not seem to me to affect him; they sat together for an hour peaceably and quiet after that, arguing coolly with each other.

Q. Were there any blows struck after that?

Shirlock.

Shirlock. No, nor any likelihood of any.

Q. Did you see them part?

Shirlock. I did, I was in the room at the time.

Q. What condition did the deceased seem to be in?

Shirlock. I saw no other difference then than at any other time, only being fuddled; he was in a bad state of health, in a consumption, long before; his son says, six years before.

Q. Do you know what time he died?

Shirlock. I do by his son's account.

Benjamin Harthill. I am son to the deceased, and was in company with the prisoner and him at that time.

Q. Did you hear the last witness give his account?

Harthill. I did, it is much the same; we were drinking all together and talking, and had a good deal of liquor,

Q. Was you sober?

Harthill. We were all fuddled.

Q. Do you remember the conversation you had with the prisoner at the bar?

Harthill. Yes, we were talking about our business.

Q. What conversation did you fall into after that?

Harthill. The prisoner call'd my father thief.

Q. Did not you call the prisoner's father thief or rogue?

Harthill. No.

Q. to Shirlock. Did you not say you heard this witness call the prisoner's father thief and rogue?

Shirlock. I heard this witness say, that the prisoner's father was a thief and a rogue.

Harthill. I did not say so.

Q. What was the reason of your fighting?

Harthill. We were talking about our trade, and he hit me a blow; then I struck him again, and so we fell to fighting, and fought some time.

Q. Are you both of one trade?

Harthill. We are; when we were fighting my father came to part us, and he said the prisoner's father was a thief.

Q. Was this when you were fighting?

Harthill. No, this was after we had been parted about an hour; that occasion'd the blow, but I did not see it given. After that my father and I went home together, I led him by the arm.

Q. Could he not go without help?

Harthill. He was drunk.

Q. What time did you go home?

Harthill. Between nine and ten at night.

Q. What happen'd when he was at home?

Harthill. He went to bed.

Q. Did he complain of any hurt?

Harthill. He complain'd at the alehouse, before he went home, of the blow, and told me the prisoner had kill'd him; so we went home upon that, but when he gave him the blow, I do not think he intended to kill him.

Q. to Shirlock. Was it a violent blow?

Shirlock. It was a hard blow for a man that was infirm; but I do not think it would have hurt me.

Q. to Harthill. How had your father been as to his health.

Harthill. He had been in a very bad state of health these six years.

Q. When did he die?

Harthill. He died about four o'clock the next morning.

John Watson. I was at Mr. Shirlock's house, but not in their company. I saw the prisoner and the last evidence fighting; they had had several words before the young man told the prisoner he was a thief, and his father was a thief before him.

Court. He denies that.

Watson. It is possible he may not remember it, he was very fuddled to be sure.

Q. Did you know the deceased?

Watson. I did some time before he died.

Q. How was he as to his health?

Watson. He was in a very bad state of health; I have heard him often complain, and often-times he could not go to work.

Q. Did you see the blow given?

Watson. No, I did not, but while the prisoner and the young one were fighting I saw the old one (that is, the deceased) put his hand over the bar and pull the prisoner by the hair; the prisoner at the time put his hand over his shoulder, and gave him a blow which knocked him down, but I saw no blow after that.

John Allcock. The prisoner and deceased were my servants.

Q. What is your business?

Allcock. We call ourselves rivet and hoop-makers; but we are properly smiths. I was informed at home that some of my men were fighting. I went to the alehouse in order to part them, where I found young Harthill and the prisoner fighting. I got between and parted them; they got together and fought again; then the old man, the deceased, went to pull the prisoner by the hair, the prisoner struck him and he fell down, and what by holding by one another, or how I cannot say, but I believe they

they all three were down together at that time. I got the old man out at the door, and he came in again, and the young one and the prisoner at the bar fought again. They set to it five or six times.

Q. Were they drunk or sober?

Alcock. They were all drunk.

Q. How was the deceased as to his health?

Alcock. He was very ill, and sometimes he could not go to his work for three or four days together; he worked but very little.

Q. How long had they work'd for you?

Alcock. I believe about three years.

Q. What was the occasion of their fighting?

Alcock. They were fighting when I went there; they call'd each other thief and rogue, as drunken people commonly do. I don't think the soldier (the prisoner is a soldier) did intend to do him any hurt, for he is as quiet a man as any I have, and I have about twenty-five of them. He has behav'd as well as any of them for the time he has work'd for me, which is about three years. He is a very quiet man, I never knew him quarrellsome in my life.

Abraham Farrin. After the fray was over I only saw one blow given. The deceased call'd the prisoner's father thief and rogue, and used very scurrilous language; upon that the prisoner at the bar, with his left hand, gave him a blow.

Q. Was it with his double fist, or open handed?

Farrin. I saw the blow, but I cannot say whether it was open handed or double fist.

Q. Did it seem to be a very severe blow?

Farrin. If I had received such a blow, it would not have hurt me a great deal; but the deceased was in a bad state of health.

Mr. Goodman. I was sent for by the coroner. I opened the skull of the deceased, and found the brain in its natural state.

Q. If a blow on the head had been the occasion of his death, how should you have expected to find the brain?

Goodman. We should have found a great quantity of blood there.

Q. Do you think this man's death was occasion'd by that blow?

Goodman. I don't believe it was.

Q. Could you judge, by viewing the body, what was the deceased's state of health?

Goodman. By all accounts I have learned since, he was in a very bad state of health.

Q. Can you account for what was the occasion of his death?

Goodman. No doubt but that any body, in such a bad state of health, might have died by such

irregularity in living, without the blow; it is reasonable to think so.

Q. Was there any appearance of any contusion?

Goodman. No, none at all.

Q. Did you see any mark on his breast or any where else?

Goodman. I did not.

Q. What do you think was the occasion of his death?

Goodman. I have known several irregular people, by being put into a very great passion, carried off directly.

Acquitted. Accidental death.

110. III. (M.) *William Beckwith*, otherwise *Beckington*, otherwise *Thomas Robinson*, carpenter, was indicted for that he, on the 25th of January, about the hour of eight in the night of the same day, the dwelling house of *Ralph Griffiths*, did break and enter, and four cotton bed curtains, value 5l. eight cotton curtains, value 4l. five blankets, value 5s. one quilt, value 10s. three looking-glasses, value 3l. one pair of brass arms, value 2s. one stuff negligee, value 5s. one pair of cloth breeches, value 5s. one hat, value 5s. one petticoat, value 1s. one iron trevise, value 6d. one pewter cullender, one brass warming pan, and one iron fire shovel, the goods of the said *Ralph*, in the said dwelling house, did steal; and *Joseph Sporman* for receiving the same, well knowing the same to have been stolen. †

Ralph Griffiths. I have a house at Hackney. I lost some goods out of it on the 25th of January last, which was on a Friday, in the night, but I did not know of it till the Monday following. I went and found it broke open; they had wrenched open the flap of a cellar window.

Q. What sort of a flap was it?

Griffiths. It was a wooden flap chained down; they had cut a way thro' the kitchen door, and so went thro' all the rooms of the house. There I missed the goods mentioned in the indictment (mentioning them by name.)

Q. Have you ever seen them since?

Griffiths. I have at Mr. Henfield's, a broker in Shoreditch, and at the prisoner *Beckwith's* house, all but the warming pan; that was never found.

Q. What day was that?

Note, The Remainder of these Proceedings will be published in a few Days.

T H E

THE
PROCEEDINGS

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 27th, *Thursday* the 28th, and *Friday* the 29th of FEBRUARY,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER III. PART II. for the YEAR 1760.

Being the Third SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed, and sold by G. KEARSLY (Successor to the late Mr. *Robinson*) at the
Golden-Lion, in *Ludgate-Street*, 1760.

[Price Four-pence.]

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I Believe it was on the Tuesday or Wednesday following. I know it was one day that week.

Q. When had you seen them last?

Griffiths. We had left them in the house but a very few days before, I had seen them on Christmas Eve; every thing was right then.

Q. Was you before a justice?

Griffiths. I was before justice Fielding, and heard the prisoners examined there. Beckwith there acknowledged, that he in company with one Ruben Dan and another person broke open the house, that the other two broke the door, and he stood at the door and watched, and assisted in carrying the goods off; the other person he called Thomas Robinson, the name he himself went by, as will appear by an evidence here; that they did it by the light of a lantern. Norman was not there then, and we took him up afterwards.

Q. Was any body left in the house?

Griffiths. No.

Q. How do you know the day it was broke open?

Griffiths. By Beckwith's own confession.

Isabella Griffiths. After our house was broke open, we had a warrant to search Beckwith's house, where we found a small looking-glass lock'd up in a closet; we found also a fire shovel and trevit.

Q. Where did Beckwith live?

I. Griffiths. He lived at Hammerton, and kept a cook's shop.

Q. When was the last time you was at your house at Hackney, before you missed the things?

I. Griffiths. We were there on Christmas Eve.

Q. Can you say upon your oath these goods which you lost were in your house on Christmas Eve?

I. Griffiths. I think I can say all of them were. The house was broke in two places, but in one they met with a beam in their way, and could not proceed there.

Q. Is it a dwelling house?

I. Griffiths. Yes, Mr. Griffiths and I go there sometimes. I was all over the house on Christmas Eve.

Q. Did you go with your husband on the Monday he has mentioned?

I. Griffiths. I did, but at that time we were sure the other things were at Mr. Henfield's the broker. I found the same goods missing that my husband spoke of.

Thomas Henfield. I am a broker, and know the two prisoners at the bar. I think it was on the 26th of January Beckwith came to me (he then wrote his name Robinson).

Q. Did you know him before?

Henfield. I had seen him before pass by my door. He brought a letter and said he had brought some goods from some relation at Ware, and wanted to know if I would buy them. I told him I would see them first, and away he went; and in about three quarters of an hour after he came again with another man.

Q. What man was that?

Henfield. It was one that is not here. They brought the goods, and I looked them over. I said I did not care to buy them; except he could produce the owner.

Q. What goods did they bring?

Henfield. They brought the bed furniture, a quilt, blankets and two glasses, tied up in a coarse cloth, and a letter, saying the goods came from such a person at Ware, that was in distress. I said, except

Griffiths. I was there when Dan and Robinson broke

except I knew you, and where you live, I shall not buy them. Said Beckwith you may go to where we live, we live right against the Plough, at Hamerton. I and my brother set out to go with them to their houses: Going along the New Road, one of them said here is Cayton's cart, he serves us with meat, he knows us. We look'd about to see if we could find him. We found him in a public house, I took him out and asked him the character of the two men; he said he had served them with meat, and they paid him very honestly. Then we turned into the public house, and Ruben Dan (which was the other man along with the prisoner) got up and said to Cayton, what do you know of my character, he answered, I have served you with meat, and you paid me honestly. Then I went home, saying, I did not care to buy the goods till I saw the person that owns them; then they said let us have the goods away. I said no, I shall not part with the goods till I have seen farther. Then they said they would go and fetch the waggoner that brought them up from Ware. They were gone about half an hour. I had still the goods in my possession. I went to be shaved, in order to go to Mr. Fielding's, to give him intelligence of them. Then my brother came and said the men are come back again about the goods, and had brought the waggoner. I found the prisoner Norman standing by the fire-side. I said to him, what say you; he said, I am come about some goods that I brought up from Ware. I said, what are they, he said one of them is a flat parcel, which they bid him take care of, because there was glass; I said, do you know who you had them of; he said he knew them by sight, the man lives within a few doors of my master; my master's name is Fugan, and mine is Norman. I asked where I might find him, he said either at the Cherry-Tree or Black-Horse, in Kingland-Road. Then I said to Beckwith, as you appear to be an honest man I will pay you for your goods.

Q. What did you give him for them?

Henfield. I gave him 5l. 13s. Dan said to the waggoner, take notice of the money we take, for you are to carry it down: very well said Norman. *(The goods produced in court and deposited to by the prosecutor.)*

Q. to Henfield. Had you a receipt of Beckwith?

Henfield. I had; he signed his name Robinson in the receipt.

Q. Was you present before Justice Fielding when Beckwith was examined there?

Henfield. I was; I think he said he was in Mr. Griffiths's yard when Dan and Robinson broke

into the house; that he was set there to watch, (he used some word which I took to be watch, which I do not understand) He said they wrench'd open a shutter.

Q. Are you sure he said he was set there to watch?

Henfield. I am sure he said that.

Joseph Smith. I am a relation to Mr. Henfield. I live in the country, but happened to be at his house when the prisoner Beckwith came to him with a letter, and said he had some goods come up from a relation of his at Ware, and asked him if he would buy them; Mr. Henfield said he could not tell till he saw them; then Beckwith said they were at the Black-Horse, in Kingland-Road; he went and came back with another man, and brought them: Then Mr. Henfield told them he should not buy them without seeing the person that owned them. Then they told us where they lived, and he and I were going to their houses, to inquire how they came by the goods, and whether they came from Ware, as they had said. We happened to see one Cayton's cart stand in the road, and they inquired for him and found him in a public house, of whom Mr. Henfield inquired their characters; he said they were honest men as far as he knew, for he had sold them meat several times, and they paid him; then we came home, but he said he should not chase to buy the goods without he saw the right owner; they said the right owner could not be seen, for he was in the hands of a bailiff; but they could bring the waggoner, who brought them up from Ware; and while Mr. Henfield went to be shaved, in order to go to Justice Fielding, Joseph Norman, the other prisoner, came to his house, and said he brought the goods up from a gentleman at Ware. Mr. Henfield asked him if he knew the gentleman, he said he did not know his name, but he knew him by sight, and that he lived but a few doors from his master's house. Then Mr. Henfield asked him his master's name, and took it down, which he said was Edward Fugan; that he came sometimes to the Black-Horse in Kingland-Road, and sometimes to the Cherry-Tree, and that he was the carrier at Ware; he said the team stood at the Cherry-Tree then, and he could not stay. As soon as Mr. Henfield paid them the money, he desired me to go after them to see if the team stood at the Cherry-Tree; I followed them down, they were all three together, and went in at the Cherry tree, and the waggon stood at the door, with the master's name on it, which he had mentioned to Mr. Henfield.

Q. Was you before Mr. Fielding when Beckwith was examined?

Smith. I was. He there said he was in the yard and stood watch while Robinson and Dan went into the house and took the goods.

Q. Did you hear Norman examined?

Smith. No, he was not examined at the same time the other was.

John Blackwell. I am the person that found out where the goods were, and sent word to Mr. Griffiths; I was at Mr. Fielding's when both the prisoners were examined. Beckwith said two men, Robinson and Dan, were along with him; that they two broke the house open, by the light of a lanthorn, and he was in the garden and watched; they handed the goods out to him, and he carried them out into the fields, where they pack'd them up, and then he did not know what became of them. I asked him whether they had a dark lanthorn or another; he said it was a large horn lanthorn, with a candle in it. I was present at Hummerton when the goods were found at Beckwith's house, and heard Mr. Griffiths swear to them.

Q. Do you know any thing of Norman?

Blackwell. I have known him some time, his master is the stage waggoner at Ware. He has come to my shop with goods sometimes. I told Mr. Fielding I would send a letter down to his master to send him up. I thought it was to be an evidence. He sent him up, and I went along with him to the justice; there he said two men came to the inn where he was baiting his horses, on the 26th of January, at the Cherry-tree, and told him they had some goods come out of the country by another person, that they would give him a crown, if he would go and say they came up by him, and he took the crown and went and did say so. I do not think he would be guilty of such an action, had he known the goods to have been stolen.

Thomas Taylor. I heard the prisoner Beckwith confess before Mr. Fielding, that he was set to watch in a field or garden, while Dan and Robinson broke into the house; and he helped to aid and assist in taking the goods out and carrying them into the fields, and packing them up. When the search warrant was brought to me, in order to search Beckwith's house, we found a trivet, an iron fire shovel, a dressing glass, and a man's hat, (producing one.) This hat Mr. Griffiths owned at that time. Beckwith and Dan were partners together in a pork's shop.

Prosecutor. This hat I think is a hat that I gave to a servant of mine; the glass and fire shovel I know to be mine.

John Reed. I was at Justice Fielding's when the two prisoners were under examination, but did not much regard what was done there. I took Beckwith in a coach to goal. I asked him if there were any others concerned in breaking the house, he said there were no others but Ruben Dan and himself. This was on the fourth of February. When I went for him, in order to carry him to be examined again; then he told me one Robinson was concerned, and that he stood and watched while they broke the house and took the goods out. The first time he told me Dan and he took the goods out over night, and hid them in the fields, and went afterwards and took them away.

Beckwith's Defence.

The gentlemen have said what I said before the justice. I told the truth, and I could tell no other. I was present when Dan and Robinson broke the house, and I took the goods from them, and handed them out. This is the first scrape that ever I was in, in my life.

Norman's Defence.

Beckwith, the prisoner, and another man, came to me at the Cherry-Tree; they told me they had some things come up out of the country, from a person at Ware, who lived near the Bull, which is near to my master's, and they desired me to say, I brought them up.

Beckwith Guilty, 39s. Acquitted of burglary.
Norman Acquitted.

(M.) Beckwith was a second time indicted, by the same names, for that he, in a certain lane or open place, near the king's highway, on Aaron Govas Decoster did make an assault, putting him in corporal fear and danger of his life, and taking from his person one cloth coat, value 40s. two handkerchiefs, value 1s. and nine-pence half-penny in money number'd, his property, January 26. †

Aaron Govas Decoster. I was coming home on Saturday night, the 26th of January, between six and seven o'clock.

Q. Where do you live?

Decoster. At Hackney. Just before I came to my own door a couple of fellows stop'd me; the short one took out a pistol, and the tall one had a knife. They demanded my watch and money, or they would shoot me; I said I had no watch with me, and as to money, I could give them no more than I had. They took from me a furtout coat,

E c

three

three handkerchiefs, and nine-pence half-penny.

Q. Do you know the prisoner at the bar?

Decester. I do not know him any farther than coming in a stage coach once with him; that was since I was rob'd, coming from London. There were in the coach a gentlewoman and the prisoner, and a companion of his, as appear'd to me. The gentlewoman was set down at a distiller's, by Shoreditch Church; after that, we in the coach fell into discourse about robbing. I told them I had been rob'd just by my own house; they asked me how they used me; I said a couple of fellows stop'd and rob'd me of my coat and three handkerchiefs. They asked me a great many questions, and wanted to get out of the coach several times. I then did not like them, so instead of being set down at the Shoulder of Mutton Field, I chose to go farther in the coach.

Q. Do you know any thing against the prisoner at the bar?

Decester. No, I was so frightened when I was rob'd, that I cannot swear to the man; but when the prisoner's house was searched for other people's goods there were two handkerchiefs found there, my property, and of which I was rob'd that night.

Thomas Taylor. I am the constable that searched Beckwith's house for Mr. Griffiths's goods, where we found two handkerchiefs, in the custody of Dan and the prisoner (*produced in court and deposed to.*) They were delivered to me by their two wives, saying, they did not belong to them, and said they were afraid they were stolen. Beckwith was then taken, but Dan had made off. The prosecutor came to my house afterwards and described the marks on them at the corners, and after that he swore, before justice Norris, they were his property, which he lost at that time.

Prisoner's Defence.

I am innocent of the affair, and so I am of all the others but one.

Acquitted.

(*M.*) He was a third time indicted by the same names for stealing one cloth coat, value 20s. two pair of linen sheets, value 5s. one silk handkerchief, value 2s. three pewter dishes, value 3s. twelve pewter plates, four pewter porringers, three linen handkerchiefs, one cambrick handkerchief, five linen napkins, one shagreen instrument-case, five lancets, two pair of stone buttons, one pistol, one peruke, one hat, three linen shirts, three linen

shifts, one linen tablecloth, and 5l. in money; the money and goods of John More, in the dwelling-house of the said John, January 19. †

Isabella More. Last Saturday was five weeks two men came to our door. My husband was just gone to London.

Q. Where do you live?

I. More. We live at Hackney. They came over a gate that was lock'd, to come to the door, and said where is your master; I said, I do not know of any master that I have here. They came in at the door, and turn'd again and bolted it; I said what do you bolt my door for; they asked me where the key was; I said the key was lost; then they went to a little room where my husband and I lay; the first thing they laid hold of was a pistol; they said this is a pretty thing, this will do for us. Then they tore a drawer out, and said we will take none of your wearing apparel, we want money. They found and took some old money. Then they said where is your husband's money; I said we have some to be sure in the house (my husband had said to me, if your landlord should come by call him in and give him a quarter's rent, which is twenty-five shillings, and told me he had put it behind the door, but no landlord came.) They rifled and jostled me about and bid me not talk, and took three-half pence and four farthings out of my pocket. I had in my left-hand pocket a half-crown, and three or four new shillings; they took them, and hit me a blow on the side of my head; I thought they had beat my brains out. I said don't use me ill, I am old enough to be your grandmother. (*The prosecutor and his wife were a remarkable ancient couple.*)

Q. What time did they come to your house?

I. More. They were in my house between one and two o'clock.

Q. What did they take?

I. More. They took twelve pewter plates, three pewter dishes and four pewter porringers. My husband had also left 3l. 15s. in the house, that also they took, as well as the 25s. for rent, two pair of sheets and a table cloth, near four yards long, and eight handkerchiefs, one of which was silk and another cambrick; one was my husband's, the rest mine, and an old laced pillow case, which I believe had been my grandmother's.

Q. Did you see them take the money?

I. More. They took one half-crown and gave me again; then they took it away again and made me sit down on the bed, and then, before my eyes, they took the 3l. 15s. away, and 20s. and two half-crowns.

Q.

Q. Did you see which took your money?

I. *More.* I believe Dan took it; I saw him take my box and put it on the table, and take the money out. Some time after this I heard of a robbery in our neighbourhood, and the people were searching for their goods. My husband said he would bring his old woman, and he did not doubt but he should find some of his goods; I went, and amongst the things at Dan's house I found two pair of sheets, a table-cloth four yards long, two handkerchiefs, one silk, the other cambric; a laced pillow case and a Russia one, within a nail of a yard long; two rags and a white handkerchief; the prisoner and Dan then lived both in a house, and kept a cook's shop.

Q. Did you lose all the money you have mentioned?

I. *More.* I did; there was not a farthing left.

Q. Did you see them take the money?

I. *More.* I saw them take the things out, and fumbling about and putting things into their pockets.

John More. I was rob'd on the 19th of January last. I put 3l. 15s. into an old ticken shoe, because we live in a single house alone, and went to market. I put 1l. 5s. by, for my wife to pay our rent to the landlord; when I returned I found the money gone. As to the linen, my wife knows that best; I know nothing of that, except a spotted handkerchief and two napkins; there was also a case of instruments missing; the case was found, with three of my lancets in it, in the prisoner's house. They have been in my house twelve years. I bled a person with one of them but the Sunday before.

Thomas Taylor. I am the constable that searched the house of the prisoner and Dan for Mr. Griffiths's goods. I found four sheets, a long table cloth, two pillowbiers (one of them laced in the middle) three handkerchiefs and two napkins. When I went to search again I found one handkerchief, a lancet-case and three lancets, which the prosecutor and his wife swore to be their property before justice Norris. There were many other things found in the prisoner's house which are not owned yet, besides what the prisoner has been tried for. (*The goods produced in court and deposed to.*)

John Reed. I was at the searching Beckwith's house, and saw all these things found there. Beckwith lay in the garret where the things were found; Dan lay on the ground floor. The prosecutor's wife swore to every thing particularly before she saw them.

Prisoner's Defence.

I know nothing of this robbery.

Guilty, Death.

112. (M.) *Dopkins Driver* was indicted for stealing one cloth coat, value 5s. the property of George Holgate, February 20. *

Thomas Holgate. My father's name is George Holgate. He lives by Holbourn Bars, and keeps a cloaths shop; there were about 20 coats hanging up at our window. Seeing the prisoner take one down, I went out at the door and saw him with it under his arm. I ran and took hold of him, but he drop'd the coat, and slip'd from me. I ran after him and left the coat on the ground. I took him again, and turn'd about to see for the coat, but it was gone.

Q. Are you sure the prisoner is the man that took it?

Holgate. I am; and he also own'd he took it, said it was of a blueish colour, and beg'd for mercy. I took him before justice Welch, and when the justice asked him what was become of the coat, he said he could not tell who had it.

Q. When was this?

Holgate. This was last Wednesday.

Alice Walker. I saw a man take a coat from off a hook at the prosecutor's window, and also saw Thomas Holgate pursue him, but I cannot say that it was the prisoner; I did not take so much notice of him, as to know him again.

Adam Wood. I am servant to the prosecutor. I hung a coat on the hook that morning, and it was taken away, but I was not by at the time.

Prisoner's Defence.

I was going along and pick'd up a coat, and in the fright I drop'd it.

Guilty.

113. (M.) *Charles Cullam* was indicted for the wilful murder of Rose Cullam, his infant, about five months of age; by throwing her out of a three pair of stairs window, January 20. He stood likewise charged on the coroner's inquest for the said murder. †

Elizabeth Barden. I live in Rupert Street, almost facing the prisoner at the bar.

Q. What house does he live in?

E. Barden. He lives at Mrs. Rook's house, in the same street. I saw the prisoner with a child in

in his arms, at his chamber window, on the 20th of January last, between the hours of two and three in the afternoon.

Q. Where was you at that time?

E. Barden. I was at a one pair of stairs window in my own room.

Q. In what manner did he hold the child?

E. Barden. He held it in both his hands, and the head of the child was on his right arm.

Q. How long did you observe him standing there?

E. Barden. It was that minute that I saw him there; he made but one motion and gave it a swing from his arm [*describing in what manner he did it, not much unlike that of flinging a casting net*]. He came side-ways to the window, and so flung it out into the street.

Q. Was the child alive, can you tell, before he flung it out?

E. Barden. I cannot tell. I saw its fingers move as it was coming down like a pidgeon.

Q. Did you see the child move in his arms before he flung it out?

E. Barden. I did not.

Q. How long had he lived in that place?

E. Barden. I cannot tell that.

Q. Was it his own child?

E. Barden. He was reputed to be the father of it.

Q. What are you?

E. Barden. I am servant to a widow gentleman.

Q. Had you ever seen him with that child in his arms before?

E. Barden. No.

Q. How old was the child?

E. Barden. The child wanted three days of five months old.

Q. Has the prisoner any other children?

E. Barden. No, not to my knowledge.

Q. What was his general behaviour?

E. Barden. I never heard any body give him an ill character in my life.

Q. Did you see the child after it fell?

E. Barden. No, I did not.

Q. Whether or not, when he came to give it that swing, you imagine he did it with an intent to destroy the child?

E. Barden. It had that appearance to me.

Elizabeth Wallan. I live in Rupert-Street. I was in my mother's shop below the prisoner, between the hours of two and three, on the 20th of January. I do not know whether by accident or

what, but I saw the child fall by the side of our window; I ran out immediately and took it up, but it was then stone dead. It came out at the three pair of stairs window.

Q. When had you seen the child last before that?

E. Wallan. I had seen it alive and hearty about three hours before.

Q. What do you imagine was the death of the child?

E. Wallan. It was the fall that kill'd it.

Q. How long has the prisoner lived there?

E. Wallan. My mother has kept the house between eight and nine years, and the prisoner has lived there twelve months last Christmas. The child was born last Bartholomew-day in the morning.

Q. Have you ever observed the prisoner's behaviour to the child?

E. Wallan. I never saw him behave amiss to it. When it cried he always made a noise about it, and was always tender of it as far as I could see.

Q. Did you see him soon after it fell?

E. Wallan. I did; he came down stairs immediately, and said, *my child, my child*. I said your child is dead. His wife and he came both crying together.

Q. Did he seem to be in very great concern?

E. Wallan. I was so concern'd in taking up the child, that I cannot say as to that; he went to my mother's apartment, and said to his wife, *give it the bubby, give it the bubby*.

Q. Had you ever seen him use this child with any sort of cruelty?

E. Wallan. No, he always seem'd to be very fond of it.

Q. What passed after he desired his wife to give it the bubby?

E. Wallan. He was secured and carried to the round-house.

Q. Did he say it had fallen from his arms?

E. Wallan. He said he was dancing it, and it went out of his arms.

Q. What highth may that window be from the floor of the room?

E. Wallan. It is a high window with a casement.

Q. Might not such an accident happen by playing with a child in a man's arms?

E. Wallan. I am not a judge of that; it is a great way over from the window, because there is a gutter before it.

Barnaby Lord. I was in the prisoner's room at the time the child went out of the window; his wife was dressing some steaks, and he drew the cradle

cradle towards the fire, from the farther side of the room; the child then was in it, he thought the day was cold.

Q. How long was that before the child went out at the window?

Lord. It was about half an hour before.

Q. What time of the day was it that it went out?

Lord. It was between two and three in the afternoon.

Q. How long did it continue in the cradle before he took it in his arms?

Lord. Not long; he soon took it up, put it upon his knee, and sat by the fire-side; he seem'd to be fond of it, and made as much of it as ever he could; he put his left-hand under its back-side, hug'd it to his breast, and walked about the room with it.

Q. Whereabouts in the room was you?

Lord. I was sitting by the fire-side. I saw him walking backwards and forwards with it in his room, but I did not see how it went out at the window.

Q. Which way was your face?

Lord. My face was towards the fire. I heard the prisoner run down stairs and his wife after him. Oh! the child is gone, said he.

Q. Did he cry out as soon as the child was gone?

Lord. Yes, yes he did. I ran down after him. He made no stay, but as soon as the child fell he ran down; I believe in my conscience he did not do it wilfully. There was a blanket round the child; he had that in his hand after the child was gone.

Q. After he ran down, did he seem to be very much concerned?

Lord. He did; he went into his landlady's shop, and then they took and carried him away to St. James's round-house.

Q. Did he say any thing about its being an accident?

Lord. I did not hear any thing of that.

Q. What is the breadth of that gutter between the window and the street?

Lord. It is not a great breadth. The window is just upon a level with the gutter; a body could hardly put one's foot in the gutter.

Thomas English. I am beadle of the parish, and attended the coroner's jury; he sent me to take the dimensions of the window, here it is (producing a paper).

Q. Who wrote that?

English. I did.

Court. read it.

It is read.

The breadth of the casement is 18 inches. The breadth from the bottom of the window to the outside of the parapet is 19 inches. The parapet is about 2 inches lower than the bottom of the window. The height of the casement is full 33 inches and a half. From the floor to the bottom of the window is about 3 feet.

Prisoner's Defence.

I loved my child too well to go to throw it out at the window, the child slip'd out of the blanket. I thought the blanket was tied about its cloaths. If I had had a mind to have destroy'd my baby, could I not have had a better opportunity to do it than to throw it out at the window in the middle of the day?

For the Prisoner.

Betty Askins. I moved into George Court on Monday, and this accident happened on the Sunday following. I was at the end of the court, facing the prisoner's window, when this accident happened.

Q. Could you see the window plain?

B. Askins. I could see it as plain as I can see this window (pointing to a window in the court.)

Q. What did you see at the window?

B. Askins. I saw the prisoner dancing the child at the window.

Q. Did you know him before?

B. Askins. I never saw him before to my knowledge.

Q. In what manner did he hold it?

B. Askins. He had it on one of his arms, I cannot tell which; it was upright, with a blanket loose about it.

Q. How near did he stand to the window?

B. Askins. As near as possibly he could; the child came out at the window, and the man had the blanket in his hand.

Q. Had you observed him any matter of time?

B. Askins. I had my little boy in my hand, and was looking at the prisoner two or three minutes.

Q. Are you sure you had observed him so long?

B. Askins. I am certain of that, if not more. I look'd at him all the while.

Q. How came you to be looking up?

B. Askins. Because I heard him chattering to the child.

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Q. Did it seem to fall from his hand by a slip, or as if flying from him?

B. Atkins. I cannot say whether it fell or whether he flung it, but he had the blanket in his hand, and cry'd out, *O Lord! my child is gone.* He went backwards from the window, and the mother of the child lean'd out at the window, so that I thought every moment she would have been down. I saw a woman pick the child up, it was kill'd by the fall.

Jane Mullings. My husband and I happened to be coming up Rupert-Street on that Sunday. We saw a man playing and dancing, and singing to a child, I saw it fall out at the window.

Q. Was you looking up at the instant it fell from his arms?

J. Mullings. No, but I saw the child coming down, and the blanket in the man's arms.

Acquitted. Accidental death.

114. (L.) *Saunders Solomon* was indicted for stealing one trunk, value 6d. one silk woman's garment called a sack, value 5s. one silk gown, value 4s. one quilted stuff petticoat, value 1s. two pair of muslin ruffles, value 2s. and one muslin apron, value 2s. the property of *Martha Savage*, February 26.†

Martha Savage. I expected a trunk to be brought to me last Tuesday by the Gloucester coach.

Q. Whose property was it?

M. Savage. The trunk is my servant's, but the goods in it were mine.

Q. Name them.

M. Savage. There was a silk sack and petticoat, a silk gown, a quilted stuff petticoat, two pair of muslin ruffles, and a muslin apron.

Q. How do you know they were in the trunk?

M. Savage. I saw what was in it yesterday; the man that was to bring it to me came and told me it was taken out of the cart as he was bringing it from the inn, and said that the man who took it was in custody.

Q. When was this?

M. Savage. Last Tuesday night.

Francis Wickham (producing a trunk.) This trunk came by the Gloucester coach, directed to a lady named *Savage*, in Bishopsgate Street.

Q. What are you?

Wickham. I keep the warehouse belonging to the Gloucester coach, and took the trunk into my possession, with an intent to convey it to the lady. I accordingly deliver'd it to *James Brown*, for him to carry thither in his cart, with other things that were

going to other parts of the town, but a messenger soon after came and told me that *Brown* had been rob'd of this trunk. I went directly to inquire, and found that the trunk was retaken, and the prisoner sent to the compter.

Q. Read the direction on the trunk.

Wickham. To Mrs. *Savage*, at Mr. *George's*, near the pump in Bishopsgate Street.

Q. Did you see it put into the cart?

Wickham. I bid *Brown* take care that it was not lost, being more afraid of its falling out than of its being stolen, and he put it up into the cart.

James Brown. Mr. *Wickham* delivered this trunk to me, desiring me to take care of it, and deliver it safe to the lady.

Q. Have you read the direction?

Brown. I have [he reads it again.] This is the same trunk, it was pack'd up in the cart. There was some salmon brought up by the Gloucester coach as well as this trunk. I was sent to Billingsgate with the salmon, and then to carry this trunk to Bishopsgate Street. We put it up in the cart between two salmon baskets, so that it could not fall out. Going along Cheapside, at the hither end of the Poultry, on the left-hand side, a man came from the other side of the way, and look'd into the cart. My master's son was leading the horse, and I had a candle and lanthorn. I look'd at him with my light, but took no notice, looking very sharply after the cart. Just as we came opposite to Walbrook, or the Mansion-house, there stood a carriage. I kept along the path-way with my lanthorn in my hand, and going to look at the cart behind, I saw the same man pulling at the trunk; he gave three tugs at it, got it out, and carried it three or four yards. I hallow'd out, and he let it drop against my right leg, by which means I tumbled down, and the man ran away. I called out, Stop thief, and a young man who was coming by followed the man round the Mansion-house. The prisoner was stop'd somewhere by Lombard Street, and brought to me at the cart, and the people said it was the best way to lodge him in the compter till the morning.

Q. Is the prisoner the man who took the trunk out of your cart?

Brown. To the best of my knowledge he is the man; I went with him to the compter.

Q. Did you see the man's face when you saw him behind the cart?

Brown. I did, and took notice of it, not only when I saw him pulling at the trunk, but also when he look'd into the cart; as soon as the prisoner was brought to me I said, this is the man.

Q.

Q. Look at him well ; are you sure this is the man ?

Brown. To the best of my knowledge this is the man.

Q. Upon your oath do you believe this to be the man ?

Brown. I do.

Q. from prisoner. Whether you did not doubt my being the man, when you first came among the people to see me ?

Brown. I went up to him directly, and laying hold of his collar said, this is the man that took the trunk out of the cart ; I made no doubt about it.

Q. from prisoner. When I was before the alderman, had you no doubt then ?

Brown. No.

Q. Are you now convinced whether he is the man or not ?

Brown. Yes ; I think he is the man.

William Harrison. As I was coming by the Mansion-house on Tuesday night I saw a man pulling a box out of a cart ; the last witness came up and laid hold of him, and the man threw the box down, the same box that is here produced ; it fell on the witness's leg, and he immediately call'd out, Stop thief ; the man ran round the back part of the Mansion-house and I after him, but coming up a street I lost him ; then somebody said, he is gone that way, so I went thro' Dove Court, and there they had laid hold of him.

Q. How do you know they had hold of the right man ?

Harrison. I am doubtful about that ; he said you are mistaken, I am not the man.

Q. Was the prisoner the man that ran away from you ?

Harrison. I can't tell.

Q. Is this the man they took ?

Harrison. He is.

Q. Do you take him to be like the man ?

Harrison. I take the man that I pursued to be something lustier than he, but I may be mistaken ; I could not distinguish him rightly.

George Cockeril. Last Tuesday night, about the hour of nine, as I turn'd the corner of Bearbinder Lane to come to the Mansion-house, I heard some people cry Stop thief, and saw them come running as fast as they could. The man that ran first went through Dove Court, and there they lost him. I followed him, crying Stop thief, stop thief, all the way.

Q. Did you lose sight of him ?

Cockeril. No, I did not ; when we were both in Lombard Street, he went to cross the way, and as

he was crossing, a young man stop'd him, and I laid hold of his coat ; the people went by the end of the court when he ran up it, and so missed him.

Q. Is the prisoner the same man ?

Cockeril. He is ; he cry'd, and in the Jews language said, Pray, pray let me go.

Prisoner. That witness is the same man that laid hold of me.

Mr. Nash, one of the Lord-mayor's marshal's men. I heard Mr. Harrison give a different account from what he has now ; if you please to swear me, I will repeat it.

He is sworn.

Nash. Harrison declared on the prisoner's examination, that the prisoner was the very man, that he saw him taking the box out of the cart, and knew him to be the very man as soon as he was taken.

Q. to Harrison. Did you say as this witness has said ?

Harrison. I said before the alderman, I did not know whether he was the man or not, I believed he might be the man.

Nash. He said he was the very man.

Q. to Harrison. When he was taken, was he out of breath ?

Harrison. No, he was not ; before the alderman I said I believed he was the man.

Prisoner's Defence.

Last Tuesday morning I went out with my bag. I deal with several pawnbrokers, and coming home between five and six o'clock, I met one of our people with a bag of cloaths over his shoulder ; I asked him what he had got, and he said he had a parcel of cloaths that would suit me ; he pitched them at the Bull and Gate in Holbourn, and I bought them of him for 3l. I put some in his bag, and some in mine, and we walked to Snow Hill, where we met a person of our acquaintance. We tied the two bags together, and he carried them home. Then we went to the sign of the Cock on Snow Hill, I paid him, and we sat there about two hours. At a little after eight we were coming along the city, a little higher than the Mansion-house ; I said to buy something of a woman, and he walk'd along, thinking I should follow him. As I got to the Mansion-house I heard the cry of Stop thief. Several people ran, and I ran after them, and I saw my partner run as well as the rest. I ran round the Mansion-house, with several before and several behind me, there might be near 50 people. I was running up again, in order to go into Lombard

A Jew.

Lombard Street, thinking my partner might be there; and was not got a yard out of the alley when a gentleman laid hold of me and said, I must stop you, there is a cry of Stop thief. I said, you are mistaken in the person, when up came several butchers and said, here is a Jew thief. They pulled me this way and that way; and when the man that had lost the box came up they said to him, that is the man; said he, I believe he is, and they would not let me say one word more. One of them swore I had a blue coat on, and I had a brown one. I have been an industrious young fellow ever since I was twelve years of age. I return about 50l. every week, and sometimes 300l. a month; there is never a dealer in London but what knows me.

For the Prisoner.

Samuel Oakley. I have known the prisoner about eighteen months; there was a man came to my house about two o'clock this day, and desired I would come away directly, for the prisoner was at the Old-Bailey upon life and death.

Q. What is his general character?

Oakley. I never heard to the contrary but that he was an honest man.

Q. What are you?

Oakley. I am a pawn broker.

Q. Where do you live?

Oakley. I live at the sign of the Star, in Bacon-Street, Bethnal-Green. I have dealt with him for eighteen months.

Mary Smith. I have known him between four and five years, and never knew any thing amiss of him.

Q. Where do you live?

M. Smith. I live in Goodman's-Fields, I keep an old cloaths shop; I have dealt with him for many pounds.

Moses Barnard. I have known the prisoner twenty years, but I cannot say any good or ill of him, I never had any acquaintance with him in my life. I have seen him standing in Duke's-Place, as I have gone to our coffee house.

Leah Carolina. I have known the prisoner six or seven years. I always knew him to be an industrious man; he maintains his family by buying and selling old cloaths, he is an honest man.

Rebecca Levi. The prisoner always bore a good character; I brought him up till he was twelve years old, he now is almost twenty one.

Elizabeth Starr. I have known him twelve months. I believe him to be a very honest fair dealing man.

Gundry.

115. (M.) *Toussaint Felix Urboy*, otherwise *Felix All-Saints Happy Urboy*, was indicted for stealing 3 china dishes, value 3s. the property of Peter Leggee, in a certain lodging room let by contract. †

Peter Leggee. I let the prisoner a lodging-room about a week after last Midsummer, it was ready furnished, for some time, but he had no bed there, having a house of his own; he did not lay there, but came three days in a week to give people advice.

Q. What furniture was there let with the room?

Leggee. There were a few chairs, and three china dishes, that cost me five shillings riveting. After some little time he was to have the house, so I did not let him my goods, but let them stand in his possession.

Q. Did you deny him the use of the china dishes?

Leggee. No, I did not; but I did not let them to him.

Q. Who set you on to prosecute him?

Leggee. I threaten'd I would indict him if he would not give me my dishes again, he did not deny having them. After I had made affidavit about them, I was forced to go thro' with it, and then he sent me the dishes again.

Q. Do you owe him any money?

Leggee. If we come to account I believe I owe him money.

Acquitted.

(L.) He was a second time indicted by the same names, for obtaining, by false pretences, two pictures in gilt frames, value 3l. 3s. the property of John Peirt, with intent to defraud the said John thereof, December 21. †

The prisoner being a foreigner, an interpreter was sworn.

John Peirt. I am an haberdasher and cabinet-maker.

Q. Where do you live?

Peirt. I live in Queen-Street, Cheapside.

Q. What is the prisoner?

Peirt. By profession he is a quack doctor; he got acquainted with a friend of mine at a coffee-house in the city, and told him he had got some particular nostrums, by which he could cure several disorders, and said he wanted a house to be furnish'd, but as he was not known he desired my friend to recommend him. My friend came and told me of him, he said he was a foreigner, and that he had seen many notes of hand that he had got of people, and believed he could pay ready money. Upon this the

the prisoner applied to me for beds and furniture, and I gave him credit. As I was scrupulous of trusting him, he said this is my way of doing business, here is a note of hand for 40 guineas, I'll pay you that. I took it, and inquired where the man lived that had given it to him. I found there was such a man in being, and that he lived in a creditable house. I deliver'd him some goods as quick as I could, on the credit of that note. I deliver'd him goods to the amount of about 100*l*. before I got the money. When this note was due I apply'd to the person for payment, and he quibbled with me, and said the covenant of the note was not performed; he said, I'll tell you the truth, it is for a cure so and so, that the prisoner engaged to cure him in such a time, and had not perform'd the cure, but said, as I have given the note I must pay it. I bid him set his time and I would stay, and at last I recover'd my money. After that the prisoner came to me with another pretence, he told me he wanted his first floor furnished, for he had got a nobleman and a lady to take into his house as patients, that he was to have four guineas a week, and would pay me the money as it arose, adding, you see I live in credit; you see I have forty guineas for a cure at a time, and I'll pay you honestly. I gave him credit in the whole for 244*l*. This being a great deal of money I push'd him from time to time, and got of him fifteen guineas, ten guineas and two notes upon a minor, but could get no more of him. I then heard he had had several trials at Westminster, which appear'd very black. He had bespoke several other goods of me, particularly a *Sofa*, which he said he could not do without in his parlour. He came once to my house and saw two pictures, drawn by Mr. Worlidge, said he, what shall I give you for them? I said three guineas, but I would not part with them without ready money. He said, me pay you ready money for them, but he did not offer to pay me any, so I did not deliver them. After that, I did not see him for some time. I was going out of town to Canterbury, with a funeral. Then I thought proper to call upon him, to tell him I was going out of town, and wanted a little cash, but I could not get any of him. He said nothing about the pictures then. I told him I should be in town about Friday or Saturday, and desired him to pay me some then; he said at Christmas he would pay me all. Before I came back again he had been at my house and got the two pictures, which my servant can give a further account of. I had desired

my servant not to deliver them to him without the money.

Q. Where did the prisoner live at that time?

Parr. He lived in a house in Bream's Buildings.

Q. What did he pay you by bills and money?

Parr. He paid me a hundred and fifteen or sixteen pounds; two of the notes in part I have in my pocket now.

Q. When did you first hear of the prisoner's having these pictures?

Parr. As soon as I came to town (I came to town on the Friday following; I can't recollect the day of the month, but it was in the month of December, about the middle) I went directly to Tower Hill, where he directed my servant to come; it was at a house where he attended three days a week.

William Philips. I am servant to the prosecutor. The prisoner came to my mistress, when my master was absent, for two pictures in gilt frames, and said he wanted them.

Q. Did he give you any reason why?

Philips. No; but he wanted to have them.

Q. Did you deliver them to him?

Philips. I did. My mistress being below, he went to her, and what agreement they made, I know not; but I was called down stairs to deliver the pictures to him?

Q. Who called you down?

Philips. My mistress did. She told me to reach the two pictures from off the nail, for the prisoner to take away with him.

Q. Was this in his presence?

Philips. It was, and I took them down and delivered them to him. He told me when my master came to town, if he would call at such a house on Tower Hill, he would pay him three guineas for them.

Sarah Scott. The prisoner came several times after the pictures (I believe three times) when my master was out of town, and said he wanted the pictures. I told him my master was not in town, and the third time he came, he had them delivered to him.

Q. By whose order were they delivered?

S. Scott. By my mistress's order.

Q. Give an account of the conversation that past between the prisoner and your mistress?

S. Scott. I heard my mistress bid Philips take them down; but as I was at work at some distance, I cannot tell all that past.

Acquitted.

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116.

116. (L.) *Alexander Tompson* was indicted for stealing one looking-glass, and one mahogany frame, the property of *Alexander Cumming*. †

Alexander Cumming. The prisoner brought a looking-glass, and offered it to sale to my servant, who told him I would have nothing to do with it, so he took it away again.

Q. Where do you live?

Cumming. I live in Bartholomew Close, and am a cabinet-maker. My servant knowing I had such a glass as that which the prisoner brought, looked round, and missed such a one. Then he ran after him, and brought him back with the glass, which appeared to be mine. I took him before alderman Stevenfon, and he was committed.

Q. When did you lose it?

Cumming. It was lost from out of my shop, but I did not miss it till my lad did at that time.

Q. Did you ever see the prisoner before?

Cumming. He used to come to my house, and had been very troublesome to me about a warrant; I am one of the constables of our parish: My servant was obliged to go some way upstairs to call me, and he used to sit at the door the while.

Q. What account did he give before the alderman?

Cumming. He there said his sister bought it and gave it to him.

Prisoner. Ask him what business he had to take my hat and wig, and strip me to the skin.

Cumming. I never saw either hat or wig he had at the time we stop'd him.

William Minster. The prisoner brought this glass to our door. (*Producing one*.) I told him we would not buy it, but I would call my master, which I did, and he did not come directly. I look'd on the glass, and told the prisoner it was our's, after looking about and missing it. Then he went away. I went and told my master it was our glass. We followed him into an alehouse, where he took up a candlestick, and went to cut me down. I know it to be my master's glass.

Q. to prosecutor. Is this your glass?

Prosecutor. It is my property; I had never sold it to any body.

Prisoner's Defence.

I have not one word to say for myself.

Guilty.

117. (M.) *Jane Harland*, widow, was indicted for stealing one silver watch, value 4l. the property

of *Richard Bentley*, privately from his person, February 5. †

Richard Bentley. I happened to be a little in liquor, and as I was going up the Strand I saw a woman, who insisted on my going into Marigold Court (I imagine it might be between nine and ten o'clock at night, three weeks ago last Tuesday) and from thence up to her lodgings, where I fell asleep in about half an hour.

Q. Was any body in the room with you besides the prisoner?

Bentley. I saw nobody there but her. I had my watch when I went into the room, but when I came out, I had it not.

Q. How long had you been in her lodging?

Bentley. I imagine, from first to last, it might be an hour. I did not go to bed: I was upon it. When I awaked, she was not there. I felt for my watch, and it was gone. After that a soldier came, and told me the prisoner had given him the watch. I went to justice Fielding's, and there I saw it. The prisoner was taken up, and she said to me, if I appeared against her, she should be transported, and beg'd I would not appear.

John Harding. The prisoner delivered a watch to me last Saturday was a fortnight, and desired I would pawn it, but I would not; I had heard the prosecutor say he had lost a watch, so I told my landlord of it, who desired me to get it if possible, that the prosecutor might have it again. Then I went to her, and told her I would pawn it for her, but she would not deliver it to me till we got to the pawnbroker's door. Then I took her by the hand, turned her about, and bid her go along, and carried it to my landlord; it was afterwards produced before justice Fielding, and the prosecutor owned it.

Joseph Dickinson. I keep a publick-house. The prosecutor and prisoner came into my house and call'd for a pint of beer, which they drank, and went away. I hearing afterwards that a coachman had lost a watch, and she had stole it, I desired the soldier Harding to get it of her, that I might deliver it to the owner. He went and got it, and brought it to me that very night. Then I said I would have it advertised, and he should see me deliver it to the right owner. The prisoner came into my house afterwards: I told her I would take her to justice Fielding if she came to my house any more; but she soon came again. Then I took her to justice Fielding, and there she told me where the coachman lived. I went and carried the watch to him, and he owned it directly. Then I went to

Mr.

Mr. Fielding, and he told me to deliver the watch into the constable's hands, which I did, and desired the constable last night to be here, but he is not come.

Prisoner's Defence.

I went in at the Red Horse, in Exchange Court, to have a pint of purl, and the prosecutor was drinking some hot, so he asked me to drink with him, which I did. Then he asked me where I lived. I said in the Strand. He desired to go home with me, which he did. We had some more liquor, and then lay down on my bed. I said he should not stay without he would give me some money, so he left his watch with me for a crown. I went to this soldier Harding, and asked him to pawn it for a crown; he was with me three or four hours.

Q. to prosecutor. Did you deliver your watch to the prisoner to pawn?

Prosecutor. No, I did not.

Guilty of stealing, but not privately from his person.

Guilty.

118. (L.) *Zachary Dixon* was indicted for stealing five pounds and a half of sugar, the property of persons unknown, Jan. 28. †

119. (L.) *Joseph Smith* was indicted for stealing one hempen sack, value 6d. and 200 pounds weight of sugar, value 7l. the property of Richard Quelch, Feb. 12. †

Richard Quelch. On the 12th of this instant I employed one Thomas East to carry a sack of sugar to the Peacock in Clare Market; it was pack'd up in order to go down into the country, 200 wt. the sack was borrowed, but the sugar was mine. I delivered it on East's back, and the prisoner was along with him, who was detected in selling of it. East is not yet taken.

Thomas Jenkinson. The prisoner and another man brought a sack with about 200 weight of sugar into my house, and had a pint of twopenny; they offered to sell the sugar in the house, and gave me a little bit to look at. I said, what do you ask for it? Said the prisoner, take this lump at any price, take it at half a crown, which made me suspect it was stolen. I said, tell me where you had it, you shall not carry it out of the house. He said he had it in Thames Street. Said I, did the master or servant deliver it to you? He said it was the master, and that they were to carry it to some inn. I said, then how came it here? I will send for a constable.

Then the other man ran away. The constable came, and I gave him charge of the prisoner. We inquired at one place and another in the neighbourhood, and at last found the owner, who came and own'd it. Then we sent the prisoner to the Compter, and the next day he was taken before a magistrate, and committed. The constable deliver'd the sugar to the prosecutor.

Prosecutor. It was delivered to me all but one loaf of about ten pounds, which was missing. I verily believe it was the same which I delivered to East to carry for me; the sack was the same, and it was brought back to me in two sacks; they had put part of it in a coal sack.

Joseph Noon. I am a constable, and the prisoner was delivered into my charge. I never saw the other man. The prisoner said if I did not prosecute East, he would prosecute me for detaining him; the sugar was in two sacks.

Prisoner's Defence.

The other man carried the sugar into the alehouse, and told the landlady to let it abide there till he came. She said she would leave it with nobody else but me. He said he had got a wife and two children in the country; that he belong'd to the Lancaster man of war, and dared not go into the country. Said he, I keep a woman company, and she has newly lain-in; I fancy I must not send my wife all this sugar, but sell some of it to keep the woman that lies-in. This was East, the man that the gentleman hired for a porter. I was very much in liquor, and can't say but I did offer it to sale.

For the Prisoner.

Thomas Milbourn. I sell coals; the prisoner has carried out coals for me. I know nothing to the contrary but that he is an honest man.

Ann Lawrence. He lodges in the house where I live, and has done for two years. He kept good hours and behaved as an honest man. I never heard any ill of him.

John Gold. I have known him three years, he is honest as far as ever I saw by him; he works at the same business as I do.

William White. The prisoner has work'd many a hard day's work with me. I have known him three or four years, he bears a very good character. As for the coal sack, a partner of mine lent the prisoner that.

Acquitted.

120. Sarah wife of Charles Smith was indicted for stealing one cheque shirt, value 2s. the property of Ralph Dodwin, February 11.

No evidence appearing she was acquitted.

121. (M.) Susannah Hanby, widow, was indicted for stealing one pig, value 8s. the property of Allen Spensley, February 15. †

Allen Spensley. I lost a pig; the watchman brought the prisoner and a pig to my house. I cannot swear to the pig because it was dead.

Samuel Bishop. The prisoner came to my stand about three o'clock in the morning, in Long-Lane. I asked her what she had got, she said she had got a pig. I look'd and saw a dead pig. I asked her where she had it, she said at Mr. Spensley's. I insisted on her going to the watch-house to know whether she came honestly by it.

Thomas Andrews. Mr. Bishop desired me to go to Mr Spensley's, at Clerkenwell, to ask if he had sold a pig to a woman, I went, and he said he had not sold one, but he had lost one.

The prosecutor's man swore that the pig was his master's property.

Prisoner's Defence.

I am not guilty.

Guilty.

122. (M.) Thomas Jones was indicted for stealing one piece of black knit worstead, for a waistcoat, value 6s. and one piece for breeches, value 6s. the property of Richard Stretton, February 14. †

Richard Stretton. The prisoner was my servant. I lost sundry goods, but have only laid the two pieces in the indictment which I found at the White-Hart, in Foster-Lane, on the 14th of February. I had taken a green piece out of his pocket, which was in the kitchen, as I went to wash my hands. I saw it stand bunching out, so I charged the prisoner with taking it, and he confessed he had stolen these two pieces, and sold them to David Jones, a taylor, where I found them.

Q. from Prisoner. Was it not in our agreement that I might sell goods to any of my acquaintance, and be allow'd a profit?

Stretton. I had a good character with the prisoner. I never allow'd him to carry any goods out, but told him, that if he behaved well, and his acquaintance wanted any thing for ready money, if

they came to the shop he should have a profit what they bought.

David Jones. I am a taylor, I order'd these goods, and they were sent me; his master was backwards, and I gave him the order. I have heard Mr. Stretton say since that, that he gave the prisoner liberty to sell goods in the shop, and to have the profit of them, to his acquaintance.

Acquitted.

He was a second time indicted for stealing one piece of green knit worstead for breeches, value 5s. the property of Richard Stretton, Feb. 14. †

Richard Stretton. I went into the kitchen to wash my hands, and not finding a towel I look'd in the drawer, where I saw the prisoner's coat with the pocket bulging out; I looked into it, and took out a piece of green worstead for breeches [produced in court, and deposed to.] I went up stairs and mention'd it to some ladies, and desired two of them to go down; they went and saw it, and I charged the prisoner with taking it; he denied his having any intention to rob me of it, said that he intended to sell it and bring me the money, and that he was to carry it to Westminster to a man to sell.

▼ Catherine Rich and Fanny Thompson deposed to the same account.

The prisoner said nothing in his defence, but call'd John Lloyd, who had known him fourteen years, John Nichol, five months, Richard Lacey, seven years, John Jones, two or three years, Hugh Williams, two years and a half, Morris Evans, about three years, and Jeffery Roberts, about nine months, who all gave him a very good character.

Guilty.

123. (L.) Mary Edwards was indicted for stealing one quart pot, value 18d. and five pewter pint pots, value 4s. the property of Jane Nix, Feb. 19. †

Jane Nix. I have lost many pewter pots.

Q. What are you?

J. Nix. I keep a publick house in the Fleet market. On the 10th of February the prisoner came to my house and called for a pint of beer; some company went out of a box, and she went and sat there, soon after which I found a quart pewter pot in her apron, and took it from her; she said she never did such a thing before, and beg'd I would excuse it.

Q. Was she got up to go away?

J. Nix. No, she was not; then I bethought myself to look for more, and found 5 pint pewter pots hanging round her under her petticoat by strings.

Q. Where was she then?

J. Nix. About a yard or two from the box.

Q.

Q. What did she say for herself?

J. Nix. She beg'd forgiveness, and said she had never done so before, and own'd she had taken them with intent to carry them away.

Q. Did you know her before?

J. Nix. I have seen her in my house two or three times before.

Q. What is she?

J. Nix. Her husband is a labourer. She said she met a woman that asked her if she had any pewter to sell, who offer'd to give her a groat a pound for what she could get. (*The pots produced and deposited to.*)

Samuel Snipe. I was drinking at the prosecutrix's house, on the 19th of February; she came into the back room to two or three friends, and told us she saw a woman stealing a quart pot; we desired her to go and challenge her with it, which she did, and found the pot; then she was going to turn her out of her house, but said, perhaps she has got more; then she brought her into the room where we were drinking, felt about her and said here is another, it hangs by a string; she broke the string and took that, then another, and then another, till she found five pint pots, hanging about the prisoner by strings.

Q. Was the prisoner going away with them?

Snipe. The prosecutrix was going to push her out, and the prisoner was going out, had not the prosecutrix bethought herself to search farther.

Andrew Warden and Thomas Round, being in company with the last witness, confirm'd the same account.

Prisoner's Defence.

I was there and had two or three half-pints of beer; Mrs. Nix came and pull'd me out of the box where I was sitting, beat me with a quart pot, and used me very ill; I am all black and blue now. I have some witnesses to call to my character.

For the prisoner.

Richard Rhodes. The prisoner's husband has worked for me two or three years; I know of no dishonesty by her besides this.

Q. How long have you known her?

Rhodes. I have known her seven years.

Theodosia Cotton. The prisoner lived in the house with me near two years, she is a very honest woman. I have trusted her in my apartment, and never lost any thing by her, or heard any ill of her. I wash for people and have trusted her where there has been 20l. worth of linen at a time.

Eleanor Jones. I have known her from a child.

Q. What is her character?

E. Jones. I know nothing of her but that she is honest.

Elizabeth Rhodes. I have known her some time, I never knew any ill of her.

John Arnold. I never saw the woman three times before this misfortune, but her husband was a brother watchman with me, and I have heard she bears a good character.

Guilty.

124. (L.) Joshua Holmes was indicted for stealing one rheam of Genoa paper, call'd Fool's-cap, value 5s. the property of Kewick Peck, February 14. †

James Gow. I am a merchants watchman upon Galley Key. I saw the prisoner going into the gateway, near the key. I thought he had taken something; I laid hold of him, and found a rheam of paper, I deliver'd it into the custody of my master, Mr William Lickiss.

Q. What time was this?

Gow. This was on the 14th of this instant, about four o'clock in the afternoon.

William Lickiss. This paper was deliver'd to me by the last evidence, on the 14th of this instant, about four in the afternoon. (*Produced in court.*)

Kewick Peck. This paper is my property. It is fool's cap, it came on board the Defiance, consign'd to me from Leghorn. I had several bales of it.

Prisoner's Defence.

I found this paper in the gateway, between five and six o'clock in the evening.

He call'd Richard Badham, who had known him about thirty years, Martha Scarret, about three, and Thomas Aullery, eighteen or twenty, who all gave him the character of an honest man.

Guilty.

125. (M.) Emanuel Roze was indicted for having committed that detestable crime called buggary, on the person of Joseph Churchill, January 20. †

The prisoner pretending he could not talk English, an interpreter was sworn, but it appeared he could speak English very well.

Joseph Churchill. I am an apprentice to Mr. Brasser, a watchmaker, in East-Smithfield, and my fellow apprentice (Charles Horn) and I used to lay together. We had some words, and he struck me

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on the 20th of January. Then my master came and ordered us to bed. Horn bid me to make the bed, but I would not because he had beat me. Then he tuck'd up the bed as small as he could, for only himself to lay in it, went to bed, and would not let me lay with him. I was sitting on the prisoner's bed in the same room. The prisoner said, here is room enough in my bed, so I went to bed to him, and in about a quarter of an hour he got my legs between his, and his arm round my neck; *here he proved the fact laid in the indictment, which is too indecent a subject to be particular upon.* I struggled to get away, but could not. I called to Horn several times, and he answered me but once, saying, he would not get out of bed for me. I told Horn how he had used me the next morning.

Q. Did any body lay near you?

Churchill. If I had made a very great noise, nobody could hear me besides Horn, the family laying two pair of stairs lower.

Q. When you called to Horn, did not you tell him the reason of your calling?

Churchill. I said, let me come into that bed, for I do not know what he will do with me; I believe he will ruin me if you do not come to help me out. This was on the Sunday night, and on the next morning I told Horn of it. On the Friday following I told my mother of it, which was as soon as I saw her; she lives in the Fleet Market.

Q. Did not you tell your master of it?

Churchill. No, I did not, for I was afraid he would make a noise about it. I had went once before with an intent to tell my mother, but she was not at home.

Q. Did the prisoner ever ask you to go to bed afterwards?

Churchill. No. He is a sailor, and was going on board the next morning, but the captain would not take him, so he came back again.

Charles Horn. I am twenty years of age next June. After the boy had been in bed with the prisoner about a quarter of an hour, I heard him cry out, be easy, *old Bell*; a name the prisoner went by among his countrymen.

Q. Did you hear him call out in any other words?

Horn. I heard him repeat that twice: I heard him say no more than those words all that night.

Q. How long had the prisoner lived in the house?

Horn. About six or seven weeks. The next morning Churchill told me that the prisoner offered him a silk handkerchief to lay still, and that the

old man (meaning the prisoner) had had to do with him. I asked him how. He said he was ashamed to tell me, and he never told me any farther.

Q. How near did your bed stand to the prisoner's bed?

Horn. From the side of my bed to the feet of the prisoner's bed, is about four feet.

Q. How came you to keep the boy out of your bed?

Horn. He heaved a bit of a tobacco pipe at me, so I gave him a blow, and the bed not being made, he said he would not make it, and I said, then he should not lay in it.

Q. Upon your oath, whether the boy did not call upon you several times, complain, and desire your assistance?

Horn. I heard him say no more than the words I have mentioned.

Q. Did you make him no answer at all?

Horn. I don't remember that I did; there was a countryman of the prisoner's in the same bed with them.

Q. to Churchill. Was there another man in bed with the prisoner and you?

Churchill. There was; it was one of his countrymen; he lay on the other side of the bed, and the prisoner in the middle.

Q. Where is he?

Churchill. I do not know.

Q. to Horn. How did you understand that of the old man's having had to do with him?

Horn. I understood it was something of this nature.

Q. How long was it after this before the prisoner was taken up?

Horn. He was taken up on the Sunday morning following.

Q. Did your master do nothing in it?

Horn. I believe he knew nothing of it till the constable came to take the prisoner up.

Ann Churchill, the boy's mother, deposed, That the boy told her of this affair on the 26th of January, mentioning the several circumstances, which, for decency sake, we omit; and that Martha Williams and Mary Amphlet were with her at the time; they were called in separate, and all gave one and the same account.

Prisoner's Defence.

There was another man lay in bed with me, and he is gone I know not where. The boy came into bed to us, and I lay in the middle. I used to beat the

the boy for being saucy, and this, I imagine, is done out of spite against me.

For the Prisoner:

John Brasset. The prisoner lodged at my house; he went to bed drunk on the Sunday night, and another of his countrymen lay with him. My two apprentices lay in the same room, in another bed. I examined the boy, and heard nothing of this till the Sunday following. When the prisoner was taken up, the boy went out of my house every day of his life, and he never went out but he would call upon his mother, and would stay a long time on errands. I sent him that day on which he says he told his mother, at half an hour after three, and he never came home till nine in the evening. He went every day that week to a finisher at Westminster; he has been with me about six months, and is a very filly, empty boy.

Q. What is Horn?

Brasset. He is a good civil lad enough; he has made complaints to me that he did not chuse to lay with Churchill, because he used to be always hugging and bussing him, and that the boy once said to him, you are very rankey, it is a wonder you do not love me as old Bell did, taking hold of his private parts, *using an obscene word.* I have seen the boy hang over him in the kitchen and kiss him, and the other would knock his head away. The prisoner has got the foul disease now, and he had it then.

Q. What reason have you to think so?

Brasset. Because he cannot go to the whores our way but what he must get it immediately.

Charles Thompson. The boy told it in my hearing, and that it was done on a Monday night.

Q. How did he say he knew it was on a Monday?

Thompson. He said he asked his fellow apprentice what day it was, and he said it was on a Monday, on which account I went and brought several people to prove him on board a ship; he went also a whoring that Monday night.

Brasset. There were five Portuguese lay in the next room to them, who could all speak English; and if the boy had made a noise I could easily have heard him, and I would have gone up with my sword and ran him through the body.

Q. How long had the prisoner lodged with you?

Brasset. He had lodged with me about two months before this affair.

Q. Does the prisoner owe you any money?

Brasset. Yes, about two or three and thirty shillings.

Q. *to Horn.* Did you hear what your master has said about the boy's talking to you, and taking hold of your private parts?

Horn. He never touched my private parts. Acquitted.

See Numb. 182. in Sir Richard Glyn's mayoralty.

126. (L.) *Mary Newton*, spinster, was indicted for stealing one pair of silver shoe buckles, value 10s. and one pair of metal shoe buckles, value 6d. the property of John Sands, Jan. 13.†

John Sands. The prisoner lodged at my house; she had been my servant, but was out of place. I lost a pair of silver and a pair of metal buckles, which were found again in her pocket.

James Bedford. I took a pair of silver and a pair of metal buckles out of the prisoner's pocket [the buckles produced, and deposited to.] The prisoner said she knew nothing how they came into her pocket; she was very much in liquor.

Elizabeth Sands. I am wife to the prosecutor. I had these buckles in my shoes on the 29th of January, and on the 30th they were gone; the prisoner lodged with some people in our house.

Prisoner's Defence.

I never saw the buckles, and know nothing how they came there.

For the Prisoner.

Sarah Bond. The prisoner being destitute of an home I took her in, and have always found her just and honest. I gave her a good character and she staid almost three months in her place, but she was too weak for it and was forced to come away, but with a good character. After that Mrs. Sands took her to a bawdy-house, and call'd for a quarter of rum. I believe all this is owing to Mrs. Sands being jealous of her, for Mr. Sands told me he was obliged to prosecute, or he should have no peace; and Mrs. Sands told me with her own mouth, she never found her guilty of any thing amiss.

Acquitted.

127. (M.) *Ann*, wife of Richard *Cowdery*, was indicted for stealing one silver spoon, value 8s. the property of Thomas Reed, February 15.†

Thomas Reed. I keep the Black Bear, in Piccadilly; I missed a silver spoon the 15th of this instant, about two o'clock in the afternoon; the prisoner had been at our house that day. There was the name upon it, *William Biddle, Black-Bear, Piccadilly*, the man's name that kept the house before I came.

Mr. Pinner. I am journeyman to Mr. Capriell, silver.

silver-smith, in New-Street, Covent-Garden; the prisoner came yesterday morning about ten o'clock and asked me if I would buy an old spoon; I saw the name on it, and ask'd her whose it was; she said it did not signify whose it was, so I stop'd her and the spoon too. Then she own'd she was guilty of taking it and hoped I would forgive her.

Prisoner. I have done a fault and am sorry for it.
Guilty.

128. (L.) Elizabeth Partridge, otherwise ~~Miss~~, otherwise ~~Fitz Morris~~, was indicted for wilful and corrupt perjury. ~~+~~
Acquitted.

The trials being ended, the court proceeded to give judgment as follows:

Received sentence of Death 3.

John Gueff, Thomas Smith, and William Beckwith.
Transportation for seven years 27.

John Ambery, Charles Johnson Shaw, Zachary Dixon, Alexander Tompson, Mary Edwards, Jobua Holmer, Saunders Solomon, Hopkins Driver, Walter Marsh, Ann Stevens, Sarah Padden, Ann Hewet, Alice Jones, Rachael Davis, Thomas Jones, Henry Marden, Mary Wilcox, Margaret Macquire, Jane Harland, Ann Fearey, William Davise, Alice Clark, Thomas Smith, Margaret Murphy, Daniel Dailey, Jane Furnish, and Ann Cowdery.

To be branded 1.

Susannah Hanby.

To be whipped 1.

John Newton.

Thomas Harrisborn, capitally convicted in December sessions, and Peter Hopgood, in January sessions, were executed, pursuant to their sentence, on Monday the 11th of February.

The Right Honourable Sir THOMAS CHITTY, Knt.
Lord-Mayor.

GOD save the KING.

The next sessions begin on Monday the 19th of May next at Guild Hall, and on Wednesday the 21st at the Old Bailey.

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By T. GURNEY,

Writer of these Proceedings.

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Joshua Lewis, Upholder, &c. the Corner of Barnaby Street, Southwark, who, for his own private Use, has wrote, in this Method, the New-Testament in one Hundred Hours, the Book of Psalms in thirty Hours, and the Books of Job, Proverbs, Ecclesiastes, and Solomon's Song, in twenty-four Hours; all which the Curious may freely inspect.

W. Holdsworth, at Mr. Rook's in Boswell Court. Thomas Harper, Schoolmaster, Wigmore Street, Oxford Road.

Richard Hale, Ewer Street, in the Park, Southwark, Writing-master and Accountant.

John Payne, at Mr. Buckland's, Paternoster Row. Isaac Padman, at the Bank of England.

Lawrence Pitt, Book-keeper, George Inn, Snow Hill. W. Beckley, Watchmaker, Civet Cat, Norton Falgate.

Joseph Bedder, at Mr. Stanley's, Basing Lane.

Joseph Collett, at Mess. Barnardiston and Howe's, Stationers, in Chancery Lane.

Thomas Wells, Chafer, West Harding Street, Fetter Lane.

THE
PROCEEDINGS

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On Wednesday the 16th, Thursday the 17th, and Friday the 18th of APRIL,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER IV. for the YEAR 1760.

Being the Fourth SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed, and sold by G. KEARSLY (Successor to the late Mr. *Robinson*) at the
Golden-Lion, in Ludgate-Street, 1760.

[Price Four-pence.]

THE P R O C E E D I N G S O N T H E

King's Commissions of the Peace, and Oyer and Terminer, for the City of
LONDON, and at the General Sessions of Gaol Delivery of *Newgate*,
holden for the said City of LONDON, and County of MIDDLESEX,
at *Justice-Hall* in the *Old-Bailey*, &c.

BEFORE the Right Honourable Sir
THOMAS CHITTY, Knt. Lord Mayor
of the City of London; Sir WILLIAM
MORETON, Knt. Recorder, and others
of His Majesty's Justices of Oyer and
Terminer for the said City.

London Jury.
Saunders Oliver
Henry Little
John Cooper
William Russell
John Luntley
Richard Hughes
Richard Lonsdell
James Tukey
Edmund Notterville
William Hall
Daniel Aldersey
James Searle

Middlesex Jury.
William Frith
George Hart
Joshua Lascells
Richard Harris
William West
William Brown
Thomas Pickle
Samuel Vaughan
John Legg
Edward Parker
Thomas Manlove
Peter Jackson

129. (L.) *William Bowen* was indicted for
stealing 5lb. of coffee, value 4s. the property of
persons unknown, Mar. 17.

William Sturt. I am a sea faring man, and was
at the Cock and Anchor on the 15th of March,
when the prisoner came in, and asked to go down
into the cellar to the necessary house. I saw his
trowser pocket stood out on a bulge. I took a can-
dle and went down, and found him amongst the
vessels with his trowfers in his hand. I took hold
of them, and he offered me what he had in his
pocket to let him go. I took him up, and there

N. B. *The Letters (L.) (M) direct to the Jury
by which the Prisoner was tried.*

was the merchants constable Mr. Rawlins. We
searched his trowfers, and found 5lb of raw coffee;
(produced in court, and deposed to.) We took him
before my Lord-mayor, where he said he had it from
on board a ship called the *Lion*, at Cox's wharf,
that came from Guadalupe with coffee and sugar,
and that they threw it over-board by shovelfuls;
that he had it part from on board, and part from off
the ground.

Q. What is he?

Sturt. He is what they call a lumper.

John Rawlins. I am constable for the West-India
merchants, and saw the prisoner come in at the
Cock and Anchor [confirming what the other evi-
dence had said.

Prisoner's Defence.

I was at work in unloading that ship along with
five others, and in craning the bags out, some of
them burst, and a great deal of coffee fell on the
ground; the poor people pick'd it up, and I pick'd
up some. The captain and mate stood by, and see-
ing my hat full, they bid me put it in my pocket,
which I did; they said poor people had better take
it, than let it be trod under foot.

For the Prisoner.

Mr. Davis. I have known the prisoner 26 or 27
years.

Q. What has been his character?

Davis. He was reckon'd a very honest man 22
or 23 years ago; I know nothing of him since that
time.

Richard James. I knew him about 20 years ago,
and never heard any harm of him, but have not
known any thing of him for 16 or 17 years.

Guilty.

130, 131. (M.) **Jane Powell**, spinster, and **Eleanor Powell**, widow, were indicted, the first for stealing one garnet necklace, value 40s. one mock garnet ditto, value 3s. and one gold ring, value 6s. the property of James Hammar Biker, and the other for receiving the same, well knowing them to have been stolen, April 8.

Mary Biker. I am wife to James Hammar Biker; the prisoner Jane Powell was my servant.

Q. How long did she live with you?

Biker. About a fortnight, at the close of which she pretended that she had fits, and could not continue any longer in my service, so she went away, but said she had got a place which she approved of much better than her present one. I look'd about and missed two necklaces, as mentioned in the indictment, and likewise a mourning ring, concluding she had taken them away from out of my room, for being my house-maid she had access to the place where they were put. On this I went to Mr. Fielding, who granted a warrant to search her lodgings. She lodged with her mother, the other prisoner, where the things were found: I was present at the search. They were both carried before justice Fielding, where one was charged with stealing and the other with receiving them. They both denied knowing any thing of it, but at last Eleanor beg'd for mercy, and then Jane fell on her knees, begging for mercy likewise.

Richard Gay. I am a constable, and searched the lodging of the two prisoners. We sat Eleanor on a chair, and bid her sit still while we searched about. She sat very composed at first, but when we went to the grate she altered very much, and appeared very uneasy. She went, and insisted upon sweeping up the ashes herself, but we would not let her. I looked in the grate, and took it out, and in one corner of it I found the two necklaces, and in the other corner I found the mourning ring. [Produced in court, and deposed to.] I also found a pair of gold buttons in another room, which are not laid in the indictment. I observed the mother was very uneasy when we came near where that was concealed. I found about forty different keys about the house. [He produced four which he had tried, and they opened the prosecutrix's locks where the things were taken from.] The key that opened the lock where Mrs. Biker deposed she kept her necklaces, was found with the necklaces in the grate.

Mrs. Biker. These four keys (taking them in her hand) will lock and unlock four of my locks.

Jane's Defence.

I never tried to open a lock in my life; my mother is innocent of the whole of this.

Eleanor's Defence.

I knew nothing of any such things being in my apartment; as to the keys, they are the keys of my tea chest, and of my drawers.

Both Guilty.

132. (M.) **Charles Potter** was indicted for stealing two pair of womens stuff shoes, value 5s. and three pair of cotton stuff pumps, value 7s. the property of Edward Pitman, March 25.

Edward Pitman. The prisoner was my servant for about five years; I am a shoemaker, and he was my clicker: I discharged him about five or six weeks after Christmas, on suspicion of his robbing me. Afterwards I was going by a pawnbroker's shop, in the parish of St. Ann's, in a place called Walker's Court, where I saw several pair of shoes of mine hanging in the window.

Q. Where do you live?

Pitman. I live in the same parish. I went and told the pawnbroker they were all mine, and said I believed I knew the person that stole them. He asked me what name. I said, Charles Potter. He said he had taken them all of him, and they were booked in that name. I went and took the prisoner up, and carried him before justice Fielding, where he confessed he had taken them wrongfully, and beg'd forgiveness. [Produced in court, and deposed to.] There were more of them, but I suppose here are enough to prove the felony.

Cross Examination.

Q. How do you know these to be your property?

Pitman. There are my marks on them, and I can swear to my man's work.

Q. Does he work for any body else?

Pitman. No, he does not.

Q. What is your mark?

Pitman. There was the letter P.

Q. Does not the letter P. stand for his name, and a hundred names besides your's?

Pitman. It may, but I knew my man's work, and from amongst other shoes pick'd them out, and they answered to the pawnbroker's book as brought by him.

Q.

Q. Did you promise him to be favourable upon confession?

Pitman. No, I did not.

James Hunt. I am a pawnbroker, and took these shoes in of the prisoner at the bar, at different times.

Q. When did he first begin to pawn things with you?

Hunt. Some years ago; these are what came lately. He brought one pair of these in January last, one in February, and three in March. When Mr. Pitman came in, he said they were his, that he suspected who stole them, and named the prisoner's name, so I said I had them of him.

Cross Examination.

Q. What trade is the prisoner?

Hunt. He is a shoemaker, and has made shoes for me.

Q. Can you distinguish these shoes from others?

Hughes. I cannot, not being a shoemaker.

Q. What is the prisoner's general character?

Hunt. I took him to have been an honest man.

Prisoner's Defence.

I used to make shoes for my own customers, and buy my own stuff; these were shoes that I made for myself.

To his Character.

Edward Rogers. I have known the prisoner between five and six years; he is what we call a clicker, that is, one who cuts out for the shoe-makers.

Q. What is his general character?

Rogers. A very honest sober young man.

William Herbert. I live in Rupert Street, and have known him betwixt four and five years.

Q. What is his character?

Herbert. He is a very honest man for what ever I have heard.

Thomas Pollard. I have known him from his birth; he was born in the house where I have lived forty years, and I never saw any thing amiss of him; he is a very honest industrious man.

John Collier. I am a peruke maker; I knew him four or five years before he work'd with Mr. Pitman.

Q. What has been his behaviour?

Collier. He is very honest as far as I know or have heard.

John Pool. I have known him about three years.

Q. What is his general character?

Pool. I always look'd upon him to be a very honest man. I am a cabinet maker. He bought ten pounds worth of goods of me, to furnish a room, and was to pay me so much a week, which he did very honestly; it is almost paid.

Guilty.

133. (M) *Isabella Tomson.* Spinster, was indicted for that she, on the king's highway, on Charles Syms did make an assault, putting him in corporal fear and danger of his life, and violently stealing from his person one 36s. piece, and two guineas, his property, March 7th 1791.

Charles Syms. I am a taylor. I was in King-Street, St. Ann's, about twelve at night, on the 7th of March, when a man came behind me and fastened my hands behind me; the prisoner put her hand in my coat breast-pocket, and took out a 36s. piece, and two guineas.

Q. Could you not resist her?

Syms. No, I could not stir, nor loosen my arms; after that, the prisoner and the man ran away, and I never saw the man afterwards; the prisoner ran forwards, and I pursued her; I struck her several blows on the head, she ran into a watchman's arms, and he secured her in the round-house.

Q. How far did she run before she was stop'd?

Syms. I believe she ran about fifty yards; the next morning she was taken before justice Fielding.

Q. Was she searched in the round-house?

Syms. Yes, but no money was found upon her.

Q. Did you ever find your money again?

Syms. No.

Q. What did she say for herself?

Syms. She denied it both at the watch-house, and before the justice.

Q. Are you sure you had your money at the time they stop'd you?

Syms. I had, and am very sure the prisoner took it out.

Q. How long before had you seen your money?

Syms. It was not ten minutes before, that I felt it there.

Q. Had you been in any house after you felt it there?

Syms. No, I had not; neither was there anybody near me in the street, besides the prisoner and the man that held me.

Q. Are you sure the prisoner is the person who took your money?

Syms.

Syms. I am, I pursued her that very moment, and she was never out of my sight till taken.

Q. from prisoner. Whether I am the girl that was taken out of a bawdy-house, that was with the prosecutor?

Syms. She was taken in the street.

Q. Did you ever see the prisoner in any house?

Syms. Yes, in that house where we had a pint of negus made; she told me it was her lodging.

Q. Where had you been that day?

Syms. I had been at Knightsbridge, with some graters that tell cattle in Smithfield, and I met her in Piccadilly.

Q. What house was it you went into with the prisoner?

Syms. She said it was an acquaintance of hers, where I should be well used.

Q. What time did you meet with her?

Syms. I met with her about half an hour after eleven at night.

Q. How long was you in that house with her?

Syms. I believe I was with her about a quarter of an hour.

Q. What conversation past between you?

Syms. She wanted me to go to the place where she lived, and I went along with her.

Q. What happened when you were together?

Syms. We had a pint of wine made into a negus.

Q. Was you in any other company besides hers?

Syms. No, only the woman that brought the wine; whether she was the woman of the house, or a servant, I cannot tell.

Q. Did you see any man in the house?

Syms. No, I did not.

Q. Did the other woman drink with you?

Syms. No, she did not. I paid her for the wine and she wanted me to give her some more money.

Q. What reason did she give for that?

Syms. She did not give me any reason for it.

Q. How long were you together in that house?

Syms. I believe not ten minutes.

Q. Do you know whose house it is?

Syms. It is an officer's house.

Q. In what street?

Syms. In Princes-Street.

Q. What sign?

Syms. There is nothing but a Bunch of Grapes at the door, I never saw the house before nor since.

Q. Was you drunk or sober?

Syms. I was sober enough to know what I was about; I can't say I was drunk.

Q. Do you know every thing that happened?

Syms. I do; I quitted the place, being afraid to stay there, and left the prisoner in the room.

Q. Can you recollect what conversation you and the prisoner had there?

Syms. We had no conversation at all, only to drink the wine together.

Q. Did she know that you had money about you?

Syms. She saw me take my money out of my breeches pocket, and put it into the breast pocket of my coat.

John Brian. I am the watch house keeper; the prisoner was brought into the watch-house, and underneath where she sat I pick'd up this note [producing a piece of paper] I believe it is a taylor's bill.

Q. to Syms. Look at that paper.

Syms. This is a bill, it was in my breast pocket with my money.

Q. to Brian. Was the prisoner searched?

Brian. she was, but no money was found upon her.

Richard Harper. I am a watchman, and stop'd both the prisoner and prosecutor.

Q. What time of the night was it?

Harper. I had just called the hour of twelve. The woman cried out, "Murder, murder, watch, murder." I went out to see what was the matter, and there was the prisoner all over gore blood bleeding, and the man about ten yards behind her, who call'd out, "Stop thief, stop thief, she has rob'd me." I took them both to the watch house, and the prisoner was put into the hole and searched, but nothing was found upon her but three half-pence. Then we took a lanthorn, and look'd about backwards and forwards as the man directed, to see if she had drop'd any money, but we found none; we only found his cane, a key, and her hat.

Robert Johnson. I was constable of the night, and searched the prisoner very strictly, even to her shift, but found nothing upon her besides three half-pence.

Q. What did the prisoner say for herself?

Johnson. She all along disowned having rob'd the man.

Prisoner's Defence.

I came out of my uncle and aunt's house with a country woman of mine, who was going home to Scotland, in two days afterwards; they bid me go and see her a little way towards her home; when we were in Shug Lane, the ask'd me if I would drink with her, so we went into a house, I believe it was the Crown alehouse; this was at ten at night. We drank together some time, when

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we parted, I do not know what o'clock it was. As I was making my way home, this man was behind me; he struck me first on one shoulder with his stick, and then on the other. I said, Sir, what is that for, and went to go away. Then he hit me over the head, and knock'd me down. The watch-house keeper, constable, and watchman, saw me all over bloody. The watchman assisted me, and I charged him with the man. I never saw him in my life till after he knock'd me down, I never was in a public house with him.

To her Character.

Mr. Ramsay. I have known the prisoner above a year, that is, ever since she came to London.

Q. What are you?

Ramsay. I am a Taylor.

Q. What country woman is she?

Ramsay. She is a Scotch woman,

Q. What is her character?

Ramsay. I have trusted her in a room where were noblemens and gentlemens cloaths of great value very often; she never wrong'd me of a penny. I know her friends in Scotland.

Mr. Peaboe. I have known her about eight months. She has serv'd my wife, in doing her washing, and cleaning about among my small family, now and then upon occasion; she has had an opportunity of taking things, but to my knowledge she never wrong'd me of a farthing; I have a good opinion of her.

Acquitted.

134. (*L.*) *George Gill* was indicted for stealing five yards of silk for handkerchiefs, value 20s. the property of *Ann Bayne*, widow, March 13.

Ann Bayne. I live in Old Broad Street, near St. Peter-le-Poor's church.

Q. What is your business?

A. Bayne. I keep a haberdasher's shop. On the 13th of March two men came into my shop, and said they wanted some handkerchiefs; the prisoner was one of them. I shewed them five handkerchiefs all in one piece, but they said they would not do. So I shewed them some others, when there came in two women, and asked for some silk lacing, the men said, serve the gentlewomen, for we want half a dozen: As I was giving one of the women change, she said softly, take care of these two men, who then stood near the door: After I had done with the women, I shewed the men another sort, which they said would not do, so I shewed them

another sort, which they did not like neither; then I shewed them another, which one said would do but the other said it would not; this was the very first piece I had shewed them: The prisoner catch'd them up as they lay just within the fast, and they ran out; I ran after them, and called, Stop thief: The prisoner was soon taken, and brought back; he was got out of my sight first, but I am positive he is the man: He was searched, but nothing was found upon him.

Q. Did you get your handkerchiefs again?

A. Bayne. They were pick'd up by a person that is here, and brought to me (*produced in court, and deposited to.*)

Q. What did the prisoner say for himself?

A. Bayne. He said he never was in my shop, and he said the same before the magistrate.

Cross Examination.

Q. What time was this?

A. Bayne. It was the night before the fast-day, between seven and eight o'clock.

Q. What sort of a dress was the other man in, that came in along with the prisoner?

A. Bayne. He was in a whitish coat; I never saw him before to my knowledge.

Q. Are you certain they both came in together, or as customers dropping in one after another?

A. Bayne. They did come in together.

Q. Was any body in your shop besides you, when they came in?

A. Bayne. There was only my mother and I.

Q. Did the two men come in as friends?

A. Bayne. They did.

Q. How do you know that?

A. Bayne. Because one said to the other, they will not do; and the other said they were for a sailor, and would do.

Q. Are you certain the prisoner is the man that took the piece?

A. Bayne. I am; I had hung them on a line in the window, and he took them away. I had my eye upon him all the time.

Q. Was the other man ever taken?

A. Bayne. No.

John Jackson. I live in Broad Street. I was going down the street that evening between seven and eight o'clock, and at the end of Winchester-Street I heard the cry of stop thief. I saw the prisoner at the bar running, and I saw him fall down; this was about four or five hundred yards from the prosecutrix's house. I was on the other side of the way. I crossed the way and laid hold of him.

Q.

Q. Had he any thing in his hand?

Jackson. No, not as I could see; he was in a great deal of confusion, and I saw him hustling something towards the ground. He said, it is not me, it is a man in a white coat over the way, there he runs (*pointing with his finger.*) I looked, but saw no such person. He said, for God's sake, don't swear against me, don't use me ill, and did not offer to get away; but we were then about ten yards from the place where he fell. The prosecutrix came up and said, if he is the man that took the handkerchiefs, he has a leather apron on; a light was brought, and he had a leather apron on. She look'd at him, and said positively he was the man. When we brought him back to the place where he fell, there lay the piece of handkerchiefs; there was another person that laid hold of him rather sooner than I.

Cross Examination.

Q. Did he make any resistance?

Jackson. No, he did not.

Mr. Myer. As I was coming up from Old Bethlehem, between seven and eight that evening, I heard the cry *stop thief*. I ran directly cross the street, and just as I got to the prisoner, he fell down.

Q. Did you see the prisoner running?

Myer. Yes, he ran as fast as he could. He got up again directly, and I laid hold of him, so did Mr. Jackson. He said he was not the man, it was a man in a white coat, but I saw no such man; He was got some yards from the place where he fell. Another gentleman came and took hold of him, and I left him. We walked back again, and when we came to the place where he fell, Mr. Smith took up the piece of handkerchiefs.

William Smith. I heard the cry *stop thief*; I went up to the people, and about four or five yards from where the prisoner then was, I pick'd up the piece of handkerchiefs.

Margaret Thomas. I went into the prosecutrix's shop with another woman, to buy some lacing, where was the prisoner and another man. We were served and went out. I thought they looked as if they were going to rob the gentlewoman, so we staid at the outside of the door. The prisoner was standing within the door, with the door part open, and seemed to keep the door from shutting. I saw him take the piece of handkerchiefs, and run away with them; he snatched them from off a line. (*She looks at them.*) These are the same. The

gentlewoman came out, and said, *stop thief*, and we did the same. We staid there till the prisoner was taken.

Cross Examination.

Q. Are you not mistaken; was it the prisoner that took the handkerchiefs?

M. Thomas. I am not mistaken; it was he.

Q. How was he dressed?

M. Thomas. He had on a blue furtout coat, and the other a white one.

Prisoner's Defence.

I have only to say, that I am innocent of the fact alledged against me.

For the Prisoner.

Robert Dowdle. I live in a little house belonging to Gresham College.

Q. What are you?

Dowdle. I am a shoemaker.

Q. How far do you live from the prosecutrix's house?

Dowdle. About forty yards distance. I was standing at my door, and saw two men run by, one was a little before the other; the prisoner at the bar was the last of them.

Q. What sort of a man was the other?

Dowdle. I could not discern him. I saw he had a whitish coat on; it was not white, it was a colour that could not be discerned in the dark.

Q. Had he any thing in his hand?

Dowdle. There was something of a parcel under his arm, but I could not discover what it was.

Q. Did you see any thing drop from him?

Dowdle. No; I ran after the last. As we were coming back, Mr. Smith kick'd the handkerchiefs out of the gutter. The prisoner at the bar call'd out, *stop thief*.

Q. Did you know the prisoner before?

Dowdle. No; I never saw him before.

Q. Did they both run on the same side of the way?

Dowdle. They did; they went by very swift.

Elizabeth Harding. I live over Mr. Dowdle's head, in the same house.

Q. What are you?

E. Harding. I am a married woman.

Q. What is your husband?

E. Harding. He is a gentleman's clerk. I saw the prisoner go by my door.

Q.

Q. Where was you ?

E. Harding. I hearing a noise in the street, opened the window, and saw him, but he had no bundle, and seemed to be very fuddled.

Q. Did you see any other person running ?

E. Harding. I did ; one ran before him.

Q. Had he a bundle ?

E. Harding. I did not see that he had. My husband came home very ill, so he lay down, and I saw no more of them.

Q. Did you know the prisoner before ?

E. Harding. No, I did not.

Q. Might he have had a bundle, of the quantity of five handkerchiefs, and you not discern it ?

E. Harding. His arms were very close to his sides when he past by. I really think he had no bundle at all.

Michael Stooks. I have known the prisoner betwixt eight and nine years.

Q. What is he ?

Stooks. He is a shoemaker.

Q. What is his general character ?

Stooks. That of a hard working honest man ; he followed his trade, and kept men at work.

Samuel Newton. I have known him about two years.

Q. What is his character ?

Newton. He is an honest hard-working man ; he made me the shoes I have got on.

Charles Clark. I live in George Yard, White-chapel, and have known the prisoner about two years.

Q. What is his general character ?

Clark. I know no harm of him : I always took him to be an honest hard-working man.

Guilty.

135. (L.) William Ryder was indicted for stealing ten pounds weight of sugar, value 3s. and 4d. the property of Andrew Grote and company, March 15.

Henry Winterbourn. I am a gang's porter at Dice-key. We had been weighing some sugar for Mr. Grote in the buildings, and laid them down in Ralph key, in order for shipping to go abroad. Then we went to dinner, and returned to our work in about an hour. The man at the bar stood by the hogheads, and I observed one with the head out, and a great deal of sugar gone. I began to search his pockets, and they were full of sugar. I called my partner and we weighed the sugar over again, and it wanted fifteen pounds ; the sugar in his pockets weighed ten pounds. Then he beg'd forgiveness, and said he would not do so any more. He said much the same before my Lord mayor.

Q. Whose property was the sugar ?

Winterbourn. It was the property of Andrew Grote and company. (Produced in court.)

Prisoner's Defence.

I did not get the sugar out of the hoghead but off the ground, as it lay scattered about.

Guilty.

136. (M.) John Stabler was indicted for stealing one mahogany tea chest, value 2s. one silver sugar castor, value 20s. one silver pepper castor, value 11s. one silver salt, value 8s. one silver table spoon, value 5s. one silver tea spoon, value 2s. one pair of silver tea tongs, value 5s. one bunch of keys, value 4d. and one pewter spoon, value 2d. the goods of — Row, April 9.

Magdalen Mascallier. The prisoner at the bar brought me part of this plate to sell, producing a silver salt, pepper castor, tea tongs, and sugar castor. I asked him how he came by them, and he said they were his own.

Q. What are you ?

M. Mascallier. I keep a Silversmith's shop in Cavendish Street. I told him I would not buy them, and after I had asked him a few questions he told me they were his master's property, and that his master had sent him with them to sell. I said I should stop them, till he brought somebody to give account how he came by them. He said he would not stir out of the shop without them, and then with much ado I inticed him to go with me to justice Cox's. He had a bundle about him. The justice ordered it to be searched, when we found a tea chest with the rest of the plate in his pocket, the whole of which is laid in the indictment. Then the prisoner said he took them from his master on board a ship, I forget the name of it.

Richard Merryfield. I was present at the time the prisoner was before justice Cox. Mrs. Mascallier brought him and said he had offer'd her some plate to sell, which she thought could not belong to him. She beg'd the justice would examine him, and the justice ordering his bundle to be look'd into there was the tea chest and a bundle of cloaths, and in the pockets were some of the plate. The prisoner at last confessed he had taken it out of a cabin on board a ship, and made his escape with it, and that he was an apprentice to the captain, and had served near twelve months of his time. He own'd he had offered part of the plate to the gentlewoman.

Guilty.

137. (M.) William Price was indicted for that he, on the 26th of March, about the hour of two in the night of the same day, the dwelling house of Robert Smith, surgeon, did break and enter, and fix cloth coats, value 3l. six cloth waistcoats, value 30s. one pair of cloth breeches, value 1s. two pair of linen sheets, value 20s. fifteen stocks, value 4s. one damask tablecloth, value 5s. fifteen pair of silk stockings, value 40s. four muslin neckcloths, value 2s. one pair of pocket pistols, value 10s. seven yards of linen cloth, value 30s. one pair of leather boots, one mahogany tea chest, one razor case, two razors, one razor stop, six silver tea spoons, one silver table spoon, one pair of stone knee buckles, set in silver, one stone stock buckle, and one pair of stone sleeve buttons, set in gold, the goods of the said Robert, in the dwelling house of the said Robert, did steal, take, and carry away.

Robert Smith. I live in Henrietta Street, Covent Garden, and the prisoner was my servant. On the 26th of March last I had been out. When I returned home (about twelve o'clock) my servant, the prisoner, brought me a pair of slippers, and my fillet, to put on my head as usual. I pull'd off my cloaths, and put on an old coat that I wore to dress myself in. I went to bed, and ordered him to call me between seven and eight in the morning. He went out of the room. I slept the whole night. In the morning (I was between sleep and awake) my door opened (this was I believe soon after seven). I said, who is there? The prisoner said, "Sir, it is me, for God's sake get up, for I believe the house has been broke open to-night, for when I went down stairs this morning I found the street door ajar, and all the drawers in the bureau in the parlour open and empty; for God's sake get up, for I am afraid to go down into the kitchen." I said, in a surprise, good God! I am astonished. In the interim I believe the maid servant came into my room. I slip'd on my breeches and slippers, and went down stairs. I saw the entry door and another door both open. I went into the fore parlour, and all the drawers there were open, except one in the chest of drawers, three out of the four were open; there is an escrutoire and chest of drawers. I immediately went down into the kitchen along with the prisoner, and by that time the maid was come down stairs; there I saw a trunk that belongs to my maid turn'd on the side, with all her things scattered round it and it was perfectly empty.

Q. What servants had you?

Smith. Only a maid servant and the prisoner. As there was but little light in the kitchen, I desired the window might be opened, and I immediately perceived the glass part of the window was not shut at all; there is no outside shutter, only a wooden shutter in the inside, and a bar; the window frame was put back, and in the area I saw a considerable number of chips, and as I was above the area I could cast my eye all over it: I saw the groove of the shutter had been cut away, and chip'd to the length of about three feet and a half, and the bar that goes across the window had some scratches on the middle of it, which seem'd to be done by attempting to raise it out of the groove that it was in. Then I went upstairs into the back parlour, and beginning to find myself cold, I said, William, give me my coat and waistcoat to put on. He went into my back parlour, where he usually laid my cloaths after he had given me my old coat to put on, and said, "Sir, there is no coat here, for they have taken your coat and waistcoat that you had on last night." I saw my case of instruments, plaiter case, and papers lying on the table. I desired him to go up into a room, and fetch me a coat from thence, saying, he would find an olive-colour coat there; it is a room joining to the room where I lie. He went upstairs, came down again, and said, "Sir, there is no coat there, they may have been up in that room too, for they have not left a coat there, nor nothing like it." When he was gone upstairs, I went to look about the fore parlour, and in the desk part of the bureau, I saw there had been an attempt made to open that; but I imagined it had not been open'd, because I saw part of a key was broke in the lock. I put my hand to the lid, and could not pull it up. I had the key in my pocket, and opened the glass part of it, to see if some papers of considerable value there were safe, belonging to a gentleman that is gone to Germany, and I found them all safe. Had they been gone, it must inevitably have been my ruin. There were two pieces of key broke in the opening part of the escrutoire; two drawers were constantly kept unlocked, one having my shirts in it, which the maid servant had the care of, and the other my silk and other stockings and handkerchiefs, which the prisoner had the care of; the upper part had not been opened at all. I found my silk stockings, handkerchiefs, and several shirts were gone. After this, he telling me there was never a coat for me, I desired he would go to Mr. Langford, the auctioneer, and desire his son to lend me a coat and waistcoat. He came back

Lt

again,

again, and told me he was not at home. Then I went to the Rainbow coffee-house, and he came in. I told him the case. He said, have you any reason to suspect your servants? I said, no, neither my maid nor my man. I had a good character with my man.

Q. How long had he lived with you?

Smith. He had lived with me about three months. I desired the prisoner not to mention any thing of this robbery till I returned from Mr. Fielding's, and to look about while I was gone, to see what more was missing. I went to Mr. Fielding, and told him what had happened. He desired me to ask many questions of each of my servants. I told him I had no reason to suspect either of them, but if he pleased they should both come to him, that he might take their depositions, relating to the condition they found the house in when they got up.

Q. How long has your maid lived with you?

Smith. She has lived with me about two years. Mr. Fielding took down the account I gave him; I sent for my two servants, I do not now recollect which of them I sent for first, but they both made their depositions in the same manner they had related it to me; both sign'd and swore to it. I went home, after I had heard what each of them said, much better satisfied of their honesty than before. Then I sat down and made an inventory of the things that I had lost, by asking my man after such and such things, and as he said they were missing I put them down as lost. Then I sent it to Mr. Fielding's, to be inserted in the Public Advertiser the next day; and as he had mentioned some Jews that buy wearing apparel that are stolen, I desired that he'd send out people to search after the things, and that I would grudge no expence. They were inserted in the Wednesday's paper following, and I ordered hand bills also to be delivered about. I was obliged to send for my taylor, to make me another suit of cloaths, having appeared about town in a borrowed coat and waistcoat, which cloaths came home in the evening on the 1st of April. While I was dressing myself on the Wednesday, which was the 2d, I said, William, as the cloaths I am going to put on are not mourning, I think I have a pair of crystal buttons set in silver somewhere in the bureau; the silver must be a good deal tarnished, let them be brushed. Yes, Sir, said he, I will do it. It immediately occur'd to my remembrance that I had a pair of gold buttons. I removed all my papers in the escritoire to look for them, and finding they were gone, I said to the prisoner, I am surpris'd to think what the people will do with the gold buttons, whoever they are, for they are so very remarkable,

that let me see them wherever I will, I shall know them, and there is a scratch on one of the stones. Sir, said he, perhaps they may wear them themselves. I turned myself round to the fire, and put on my stockings. The prisoner then brought up my silver buttons, and laid them down. I ordered him to go into the back parlour and fill the cistern with water. Sir, said he, I believe there is water enough in it. I said I had used it the day before. He went and brought up water, and in about five minutes after I went to wash my hands; the cistern was about equal with my face. As I was stooping, I saw my gold buttons lying on the pedestal, by the side of the cistern.

Q. Where had you put them last?

Smith. I had put them, with my knee and stock buckles, in a drawer, the morning before I was rob'd. I was greatly surpris'd at seeing them on the pedestal, and was not only satisfied with seeing them, but I took one of them in my hand and laid it down again. I thought to myself, if I remove them, I shall not be nearer a discovery than now, but if I leave them and take no notice of them, and find them removed when I come home, I may challenge either one or both of my servants with this robbery. I went out to dinner and return'd in the evening about six, but being obliged to go out immediately, I did not go to look for the buttons; but about eight in the evening I return'd, with a gentleman with me, and the prisoner lighted us into the fore parlour; he seem'd to want not to leave me. I desired him to set the candle down, and said I would light myself. I took up the candle, and said now I think I can make some discovery. I went to the cistern, and when I was looking there, the prisoner came into the room, and made an excuse about his not bringing water. I could not see the buttons, and not knowing but that somebody might have been in that room, and put the cistern over them, I took it up and look'd under it, but there were no buttons there.

Q. What time was this?

Smith. This was the same Wednesday at night; then I sat down to consider what to do, after which we went to justice Fielding, and I told him the circumstance as it occur'd to me. He said I had done extremely right. I asked his advice what I should do, and he said, the best thing is to take this gentleman home with you, and call up your man first, and tell him what you saw in the morning on the pedestal, and that at your return you found they were taken away; then call up your maid servant, and if neither of them own any thing of it, have warrants and take them both up. I went

to the coffee-house to consider of it. I thought probably they might be arm'd with an excuse for removing them, so I concluded not to do as Mr. Fielding had desired me, but wait the event for another day. I went out to the Temple, came home about four in the morning, went into my house in the same manner as usual, and asked if any body had been there. Every thing appear'd to be well. Upon my saying, William, when did you hear the watchman, has he been his hour? Sir, said he, he may have been his hour, but I have been asleep, and seem'd confused. Is there any fire says I; he said, yes there is; said I, let my bed be warm'd. I went out to look for the watchman, and came in and went to bed, and the gentleman along with me, desiring the prisoner to call me about eight in the morning. I got up about half an hour after eight, went into the kitchen, then up to the gentleman and said, I am going up into William's room, knowing he was engaged below, and the maid also. I went up and tried to open a trunk box which he had there; on his bed lay (I think) the same coat he has on now, and I am very sure the same waistcoat he has on; in the pocket of his waistcoat I found something wrap'd up in a paper, in which was the bowl part of a spoon and the handle of the same; they were very black. I had lost a silver table spoon with a crest (a lion rampant on it) I found this to be the same, and it seem'd as if an attempt had been made to melt the handle. I went down to the gentleman, who was in bed, and desired he would come up with me. I shew'd him the pieces, and then put them in the pocket as before. In the window I found the handle part of a key, and it immediately occur'd to me, that this might be part of the key that was broke in my bureau; then we went down to breakfast.

Q. Who is that gentleman?

Smith. His name is Sadler, he is now at Hertford; he has lately broke his leg in Hyde park. I dress'd myself, and staid at home about half an hour, then bid them take care for dinner for themselves, for I should not dine at home, being going to Carey-Street to bleed a lady. I went out, but instead of going there, I went to justice Fielding, and got a warrant. I returned in about three quarters of an hour, and then I brought a constable with me; I placed him in the parlour, and asked the maid where William was, saying, I wanted to lend him out with a letter. She said he was gone out, and had told her he was going to his watherwoman. I waited in the par-

lour with the constable about two hours, when he return'd, which was about half an hour after three. I opened the door to him, got him into the back room, and shut the door, saying, William, I can't help being much surpris'd at your behaviour, and much more at your being guilty of this thing, but, Mr. Saunders, there is your prisoner. The constable took him in custody, and I charged him with the robbery. He for some time was greatly confused, and indeed I was a good deal affected with it, and immediately left him in the care of the constable. He for the space of five or six minutes did not speak, and then said he did not do it; this I think was to the constable. Being in the next room, and the door open, I heard the constable say, Pray, William, where is the silver spoon that your master saw to-day in your pocket, and the gold buttons that lay on the pedestal of the cistern yesterday. The prisoner said he had no silver spoon in his pocket, and that he knew nothing of the buttons, but still he was a great deal confused. I said to him, William, there is sufficient proof against you in this affair, you must be concern'd beyond all doubt, and if there is any body concern'd with you in it, you will do right to give an account, but do not think of charging any body wrongfully, for the consequence of that will be worse than your own suffering. I asked him once or twice to discover the affair, but he denied it. At last he desired me to go into another room, and he would tell me where my things were. I went with him into the next room, and there he desired me not to let him go before justice Fielding, and that I would be merciful to him. I said it was very far from me to do any body harm, but was obliged to do this for the sake of the publick, yet after I had done it, if I could be of any service to him I would. At that time it appear'd to me there must be somebody concern'd with him. He said it was the first thing of the kind he ever had done. I asked him what could induce him to do it, and his answer was, he believed the d—l put it into his head, with many other sith speeches. He said, if I would not let him go before justice Fielding, he would tell me where all my things were. I told him it would answer no purpose to him to keep any of the things from me. He told me that many of the things were at a place where he had private lodgings, out of my house. He went with me, Mr. Saunders, and another of Mr. Fielding's men, to the lodging, which was somewhere near the Seven-Dials, but I do not know the name of the street; it was a fore room up two pair of stairs,

at a chandler's shop, where I found three sheets, a waitcoat, a pair of boots, a pair of pocket pistols, and in one of the bags with one of them was the silver spoon that I had seen in his pocket, broke in two pieces, fifteen pair of silk stockings, two neck cloths, and five stocks. I said, here are not all; and he said, I'll tell you where the rest are. I said, where are the gold buttons; he said, they are here; and took them out of his own breeches pocket. Then he took us to my house, and in a cockloft on the top of the house we found this coat and waitcoat that I have now on, about seven yards of Irish cloth, six or seven flocks, and one damask table cloth. Then he went with us to Mr. Campion, a salesman in Monmouth Street, where he had sold two coats, two waitcoats, and one pair of breeches. All the things I have mentioned I found by his directions, my property. Then I went to Mr. Fielding's, and he was brought soon after. When Mr. Fielding began to examine him, he owned his having taken all these things, and that the last mentioned two coats, two waitcoats, and breeches, he had taken a fortnight before, or thereabouts. He owned his having cut the shutter of the window, in order to deceive me, also his having attempted to open the escritoire, and breaking open the bottom drawer of the bureau part.

Samuel Campion. The prisoner brought these coats, waitcoats and breeches, to me (producing them) and offer'd them for sale; and I bought them of him.

Q. What are you?

Campion. I am a salesman; and buy and sell old cloaths.

Prosecutor. These are my property.

The prisoner said nothing in his defence, but beg'd mercy of the court.

Guilty, 39s. Acquitted of the burglary.

138. (M.) *Margaret Adams*, spinster, was indicted for stealing two sheets, value 12s, the property of Thomas Parry, April 13.

Acquitted.

139. (M.) *Elizabeth Barret*, spinster, was indicted for stealing one pair of silver shoe buckles, value 10s, the property of Richard Thomas, March 17.

Richard Thomas I live in Ratcliff-Highway. On the 17th of March, not being very well, I told my wife I would go and lie down on the bed. I did, about half an hour after one, and had not lain down above five minutes, before I heard somebody open the room door softly.

Q. What part of the house is this room in?

Thomas. It is up one pair of stairs.

Q. Did you pull your cloaths off?

Thomas. I pull'd all off but my breeches, stockings and shirt.

Q. Had you shut your door, are you sure?

Thomas. I had, but it went with a spring lock with a knob on the inside and out, to open it.

Q. What is your business?

Thomas. I keep a shop and sell sacks and hemp. I was awake when the door open'd, and saw the prisoner at the bar come in and take up my shoes, and take out my buckles. I jump'd out of bed as soon as possible, and she had just quitted the room. I call'd out *Thief, I am rob'd of my buckles*. She was then on the landing place. Margaret Evans met her there, but she got by her and ran about a hundred yards in the street, and was taken and brought back. I observ'd that after my maid met her on the landing place she open'd the door again, and clap'd the buckles down on a chair in the inside of the room.

Q. What did she say for herself, upon being charged with taking the buckles?

Thomas. She own'd she was in the room; her words were, *she did not go to do it*, but would not own she took them, and beg'd I would not carry her to prison.

Q. Did you know her before?

Thomas. I never saw her before to my knowledge.

Q. from prisoner. Whether he did not tell the justice that he thought I was his sister come into the room?

Thomas. No, I did not say so.

Margaret Evans. I am a servant to the prosecutor. I was going up stairs after my master was laid down, and saw the prisoner at the bar coming out of his room with his silver buckles in her hand.

Q. Did you hear your master call out *stop thief*?

M. Evans. No, I did not; I was going up on another occasion, and she was shutting the door. When she saw me she push'd back the door, and put the buckles out of her hand, and said to me, do not be frighten'd, my dear, I shall not hurt you. I was so much frighten'd that I did not take hold of her. She said, I only want Mrs. Smith, a mantuamaker.

Q. Did such a person live in your house?

M. Evans. No, nor in the neighbourhood as we know of. She made her escape, and ran away, but

I catch'd her in running about a hundred yards from the house.

Q. from prisoner. When I said I wanted Mrs. Smith, a mantuamaker, whether or no you did not bid me go down and inquire of your mistress?

M. Evans. No, I did not.

Prisoner's Defence.

I did live in Steward's Rents, Drury Lane, and at that time a woman lived by me, named Smith, a mantuamaker, who told me she lived in Cannon Street, Ratcliff Highway; she had a gown to mend of mine. I going to live that way myself, went and inquired for her. After I had been there and found nobody in the room, I was coming down again, and after I was down I asked the gentlewoman after this mantuamaker; but she could not inform me of the house she lived at. Then I went about in the neighbourhood inquiring for her, but could not find her. About five or ten minutes after that woman came and laid hold of my arm, pull'd and haul'd me about, and desired me to come back. I said I had done no wrong, and went with her.

To her Character.

Ann Ward. I have known the prisoner twelve years; I never heard nothing to the contrary, but that she was a very honest woman, and has lived in very great credit. Her husband is a shoemaker, and she used to bind the upper leathers of shoes.

Guilty.

140. (M.) *Mary Spalding*, widow, was indicted for stealing one copper tea kettle, value 1s. one bed pillow, value 6d. and two yards of blue bed curtain, value 1s. the property of George Roberts, in a certain lodging room let by contract, April 11.

Guilty, 10d.

141, 142. (M.) *John Mackensley*, and *John Hawley*, were indicted for stealing one hempen sack, value 6d. and 70 pounds weight of pimento, value 3s. the property of John Read, March 3.

John Read. I live at St. John's, Wapping, and am master of a vessel, called the St. Mary, lately come from Jamaica. She has had a considerable quantity of goods stolen from on board her, and the two prisoners were employed, with others, in unloading her.

Q. What was she loaded with?

Read. Sugar, rum, ginger, pimento, and other goods.

Q. What quantity of pimento did you lose?

Read. I lost two or three hundred weight.

Q. In what space of time did you lose it?

Read. They were about ten days in unloading her; it was in that time some of the bags were broken, and the pimento got out: I employed William Stent to mend the bags.

Q. What reason have you to suspect the prisoners?

Read. My mate and William Stent informed me of what they had done.

Q. Is your mate here?

Read. No, he is not; he is gone to sea.

Cross Examination.

Q. When were these workmen discharged from the ship?

Read. The 3d of March was the last time they were on board.

William Stent. I was employed to mend any of the bags on board that were broken, that is, ginger and pimento bags. On Saturday the 1st of March Mr. Read sent orders on board for the ship to be got over betwixt Gun Dock and Wapping Old Stairs; she did lie next stairs to Execution Dock. On the Monday we moored her, made her cables fast, and went on shore to dinner. Between three and four in the afternoon the mate came, and said we must not stay long, for the lumpers were gone on board, to get out the slaves, and clear the ship. I went immediately into the dock yard. Coming down to the water-side, the people on board the ship called out to me, and said, they have been robbing your ship. I ran down to the further part of the dock, and saw the two prisoners at the bat in a boat, and Mr. Milemay in the boat rowing them, with a bag of pimento under their legs.

Q. What is Milemay?

Stent. He is a waterman. I ran out of the dock-yard and call'd the mate, and said there were two of the lumpers coming on shore with a bag. We went into a little alley close to the dock, and seized the two prisoners as they were going into a house with it.

Q. Which of them had got the bag?

Stent. It was in Mr. Mackensley's hands.

Q. Were they both in company?

Stent. They were. Mackensley told us if we offered to take the bag from them, they would swear a robbery against us, and transport us, and

M m

said that bag did not come out of the ship; this they both told us, and said we should not have it. The mate sent me to call a constable to our assistance. Coming back again I met a custom-house officer, whom I desired to come and seize the bag, which he did, and carried it to the custom-house.

Q. Where is he?

Stent. He is not here. Here is the bag and pimento. (*Producing it.*) I know this bag well, it having been cut at one corner, and I mended it when the pimento was in it.

Q. What is pimento?

Stent. It is what they call all-spice.

Q. Did you see them come out of your ship?

Stent. No.

Q. Had you seen them on board the ship that day?

Stent. I cannot say that I saw them on board that day.

Q. How long had you seen the pimento on board your ship before that time?

Stent. I saw it on the Saturday before.

Q. What is the value of it?

Stent. That I do not know.

Cross Examination.

Q. What time did the prisoners leave the ship on that Saturday?

Stent. It might be about dinner time.

Q. Did you see them on board that Saturday?

Stent. I did.

Q. Do you know that they were on board that ship any day after Saturday?

Stent. Of my own knowledge I do not.

Q. How many whole bags were there on board the ship?

Stent. There were but three whole bags. When I came on board I took and fill'd up two more, to make up five, which were the number reported of the ship; they had discharged some bags before I came on board, so that all the sound ones were carried on shore but three, and some bags I mended, and some of the pimento I put in other bags.

Q. How many might you mend?

Stent. I might mend a hundred, but can't tell justly; there was another man came one day in order to help me to mend them.

Q. How many bags had pimento in them that you mended?

Stent. There was never a pimento bag mended but this; there was little or no waste, nothing left but dust and rubbish, about a peck of it.

John Granby. I was on board another ship in the dock, about an hundred yards from that ship, on the 3d of March.

Q. What are you?

Granby. I am a rigger. I saw a parcel of men hand a thing like a bag over that ship into a boat, but I did not see the boat, it was under the stern of the ship.

Q. What time of the day was this?

Granby. About one or two o'clock.

William Milemay. I am a waterman.

Q. Do you remember what happened on the 3d of March?

Milemay. I never was there at all.

Q. What do you know about rowing the two prisoners in a boat?

Milemay. I know nothing about it.

Q. To Stent. Are you sure you saw the two prisoners in a boat with Milemay?

Stent. I am.

Q. to Milemay. Did you not bring some people in a boat with a bag?

Milemay. No, I did not; I know nothing of it.

Q. to Stent. To what dock did you see this evidence row them?

Stent. To Gun dock.

Q. to Milemay. Was you not there at the time this witness mentions?

Milemay. I never was at the place.

Q. Where was you that day?

Milemay. I never overhaul my master's goods, or I could tell where I was that day; I might be plying a sculler.

Q. Was you in the vessel belonging to the prosecutor?

Milemay. No.

Q. Do you know Gun dock?

Milemay. I do; I ply at the stairs near there, but was not at the place he mentions, and know nothing of the matter.

Q. to Stent. Are you sure this witness is the man you saw rowing in that boat you mention?

Stent. He is the man, or I am not standing here.

Q. Are you to have any reward for giving your evidence?

Stent. No, I am not; I do not expect any.

Q. Are you to be paid for your trouble?

Stent. I do not know that any body is to pay me.

Q. What time of the day was it that you saw them in a boat?

Stent. About two or three o'clock in the afternoon.

Q. How far was you from the boat?

Stent.

Stent. The boat was about three yards from me.

Q. May you not be mistaken ?

Stent. No, I could not ; I have seen him a thousand times, and knew his father before him : He look'd me full in the face at the time, and I at him ; I am sure I can't be mistaken.

Q. to Milemay. Was you, or was you not there ?

Milemay. I never was at the place. I am a weekly servant, and when I have nothing to do I ply a sculler ; I do not know where I was that day.

Q. Who is your master ?

Milemay. His name is Cambden, a sugar baker.

Q. How long have you work'd for him ?

Milemay. About four years.

Q. Did you ever see this evidence at all ?

Milemay. I have seen him go along shore.

Q. Do you know the two prisoners ?

Milemay. I have known them about two or three months, they are lumpers ; I have carried fares to that ship, and have carried the captain there ; she lay just by our stairs.

Q. to Stent. Who took the bag away from the prisoners ?

Stent. I did.

Q. Was Milemay there then ?

Stent. No, he was gone.

Mackensy's Defence.

I was not on board that ship for three days before that.

Hawley's Defence.

I have no more to say than what he has said.

For the Prisoners.

Edward Brian. I was at work on board that ship from the beginning to the end.

Q. Was you on board on the 3d of March ?

Brian. I was, in getting some staves out.

Q. How long was you in getting them out ?

Brian. About an hour ; she was clear'd three days before that.

Q. By what particular do you know it was the 3d of March ?

Brian. I can't mention any particular thing.

Q. What day of the week was it ?

Brian. It was on a Monday.

Q. At what hour did you go on board that day ?

Brian. I believe I went on board between one and two o'clock.

Q. Were the two prisoners on board that day ?

Brian. No, they were not.

Q. How many were there of you ?

Brian. There were five, and no soul in the world besides.

Q. Do you know Murray the mate ?

Brian. I do, and saw him hand two bags out of that ship one day.

Q. What day ?

Brian. I do not know the day.

Q. Who were the five that were on board that day ?

Brian. There were Matthew Huns, and a strange man, Thomas Reynolds, John Roberts, and myself.

Q. Did you see any bag of pimento on board ?

Brian. No, I did not ; I did not think there was such a thing in the ship.

Read. This bag of pimento I greatly suppose they had hid under the staves, for there was one bag missing ; there were several hundreds of staves lay in the hold.

Thomas Reynolds. I was on board this vessel, being one of the five men.

Q. Were the prisoners, or either of them, on board that day ?

Reynolds. No, they were not.

Q. Have you heard what Brian swore ?

Reynolds. I have.

Q. Is it true or false ?

Reynolds. It is verily true.

Q. When was that ship clear'd ?

Reynolds. She was clear'd of every thing but the staves on the first of March, and I went to wash the upper deck the day after this affair, being the 4th of March.

John Roberts. I was at work on board this ship from the beginning to the end.

Q. Were either of the prisoners on board on the 3d of March ?

Roberts. No.

Q. Whether or no a bag of pimento was handed out of the ship that day ?

Roberts. There was no bag taken from on board that ship that day ; she was clear'd on the Friday or Saturday before.

Mr. Oliver. I have known John Mackensy 14 years, but never saw the other prisoner to my knowledge till now. Mackensy work'd on board ships as a lumper, and sometimes he has went a voyage to sea when he has not had business. I live within four or five doors of him, I always look'd upon him to be an honest man, and have proved it by dealing with him.

John Bride. I have known Mackensy 20 years.

Q. What is his general character?

Bride. He has a very good one; he sail'd in a ship where I was mate several voyages, and behaved himself very well.

Q. Have you known any thing of him lately?

Bride. No.

Q. How long is it since he and you sail'd together?

Bride. It is about two years ago.

Q. Where do you live?

Bride. I live in his neighbourhood.

Q. What character does he bear in the neighbourhood?

Bride. I have not been always at home, but hear nothing of him but what is very good; I have seen him amongst some of the lumpers, and believe he is a lumper.

Mr. Somes. I am a waterman and lighterman, I lived in Mackeney's neighbourhood twenty years, and have known him above fourteen.

Q. What is his general character?

Somes. I never heard any thing ill of him before this; he always took pains to live.

William Henry. I have known Mackeney about fourteen or fifteen years?

Q. What is his character?

Henry. I never knew any thing bad of his character; I have been master of a vessel seven years, he has sail'd with me about twelve or thirteen months and behaved well.

Gilbert Johnson. I live in the neighbourhood, and have known Mackeney about twenty years. I sail'd with him two or three years.

Q. Did you see him often?

Johnson. I have seen him every week; I never heard any body give him a bad character.

James Bride. I have known Mackeney about four years, and never knew any thing bad of his character in my life.

Sergeant Miller. I have known Hawley about seven years; he is a soldier, and was abroad with us in Flanders; I never knew any ill of him, so much as wronging any body of a halfpenny; I look upon him to be an honest man.

Q. What regiment does he belong to?

Miller. To the third regiment of foot guards, my lord Rowth's own company.

George Fishburn. I have known Hawley about four years; his character is extremely good, I never heard to the contrary till now.

Both Acquitted.

were indicted for stealing two quart pewter pots, value 2s. one pewter pint pot, value 6d. one half pint pewter pot, value 4d. one pewter dish, value 8d. and one pewter plate, value 6d. the property of John Waldgrave, March 10.

John Waldgrave. I am a publican, and keep the St Luke's Head in Longacre. The three prisoners came into my house on the 10th of March, about one in the day, called for a pint of beer, and sat down all together in a box in the publick room. Elizabeth Parker went out into the yard, where she staid about two or three minute, and then came in and sat down again. In about a minute or two after that Gates gave me a billing to charge. I changed it, and took for the pint of beer. Then they went away, and I said they were welcome. In my back room were some crack'd pewter pots that ran, and I had put them by there. As the three prisoners were all very well dressed, I did not mistrust any thing, neither had I missed any thing. After this, the same day, I was sent for by justice Welch, to know whether I had lost any pots. I said I did not know that I had lost any. He desired I would look among some pots that were there, which I did, and found two quart pots, one pint, one half pint, one pewter dish, and one pewter plate, my property; these were all taken out of the back room. (Produced and deposed to.)

Q. Did you see the prisoners there?

Waldgrave. They were all three there.

Q. How long before had you seen these things house?

Waldgrave. I saw them all in our back place that morning about ten o'clock.

Q. What did they say for themselves before the justice?

Waldgrave. They said nothing to me, nor I to them.

Q. Did you hear them say any thing there?

Waldgrave. There were abundance of things besides mine that they were charged with.

James Sherriden. I was constable, and found these goods here produced on the three prisoners on the 10th of March. I was sent for by a person that keeps the King's Head at Marybone, who told me he believed he had three thieves in his house.

Q. What is his name?

Sherriden. His name is Scruby. He told me he saw one of the women, that is, Elizabeth Parker, take a pot off the shelf. The prisoners were all three together. The woman of the house asked the prisoner what she had taken the pot off the shelf for. The prisoner said, Lord! madam. Then

Then I spoke to her. She said, it is under the table, I only took it to make water in. This made me suspect they had got other stolen goods about them. They having a sheet with things tied up in it, which I think lay on the table, I said I would see what was in it. Then she took and put it under her cloak.

Q Did any of the others seem to have the care of it?

Sheridan. When I first saw it, Ann Parker had it in her apron, and Elizabeth had another bundle under her cloak. The bundle in the sheet I did not examine till we came to justice Welch's; but I examined the other bundle, as some of the things mentioned in the indictment were found in the last bundle. I shall not trouble the court with the contents of the bundle I opened at that house. Before the justice, Elizabeth said she bought the things of a woman in the street. We opened them. She could not tell the woman's name, nor where she lived. Gates said he knew nothing of the matter, and Ann the same. We seeing the prosecutor's name engraved on the pewter, sent for him, and in searching the prisoners, some of the pewter was found about Elizabeth Parker's middle. (*Produced in court, and depofed to.*)

Gates's Defence.

I never was out of the publick room; I know nothing of the taking the things.

Elizabeth Parker's Defence.

I had been to my brother's; he is a salesman in Smithfield Market. When we came into Piccadilly, one Mrs. Edwards gave us these things, and desired I would carry them to Knightsbridge, saying, she would call for them on the morrow morning, and that she was going to keep a publick house at Hammer Smith. I sent for her since, and she is run away. I went round to go to Paddington, and I was stop'd at Marybone.

Ann Parker's Defence.

I have nothing more to say than what my sister has said.

For Gates.

Mr. Simonds. I have known Gates eight or nine years; he has worked with me almost five years, on and off.

Q. What is his business?

Simonds. He is a farrier; I live at Knightsbridge.

Q. What is his general character?

Simonds. I know nothing to the contrary, but that he always behaved very honestly.

Joseph Banister. I have known Gates about four years; he was always reported to be a very honest man: He has had an opportunity to take things from me where he has done business, and I never found that he did.

William Spinage. I have known Gates about four years.

Q. What is his general character?

Spinage. It is very good for what I know. He has been in my house many a time, and I have trusted him with things of considerable value; he is an industrious man.

Q. Where do you live?

Spinage. I live at Knightsbridge. I never heard any body insinuate but that he was strictly honest.

Joseph Barnham. I have known Gates about four years.

Q. What is his general character?

Barnham. It is good for what I know: He has done a great deal of work in my house, and I have trusted him with a great deal both in my house and without. I always thought him to be a very honest man.

Gates Acquitted. Ann and Elizabeth Parker Guilty.

(M) They were a second time indicted for stealing one pewter quart pot, value 8d. and two pewter plates, value 1s. 6d. the property of Thomas Hughes, March 10.

Thomas Hughes. On the 10th of March the three prisoners came into my house, about eleven o'clock.

Q. Where do you live?

Hughes. I keep the Red Lion in Market Lane, St. James's Market. The prisoners had four pints of beer, for which they paid me six-pence, and went away. I did not miss any thing that day, but on the day after the constable came for me to go before Mr. Welch.

Q. Did you know either of the prisoners before?

Hughes. Ann Parker had lived servant with me four days. When I came to the justice's, I was shewed the things mentioned in the indictment. I said to Ann, I did not think you would rob me. She cried sadly.

Na

Q. Are you sure the things were in your house after Ann Parker had left your service?

Hughes. I am sure they were. Two men had had some beef steaks or mutton chops on them the very day they were all three at my house. Mr. Sherriden had searched their room at Knightsbridge, and there he found the quart pot. (*The goods produced, and deposited to.*) He had been there before I went to the justice's. Ann Parker said before the justice, "I am sure there should be another quart pot of my master's." I had missed several pots, and nine plates the time she was my servant.

James Sherriden. On the Tuesday, which was the day after the prisoners were taken up, I went to Gates's lodgings at Knightsbridge, and found there the quart pot; the other things were in the bundle which they had got. We call'd upon Mr. Hughes as we returned from Knightsbridge.

Q. Who directed you to Gates's lodgings?

Sherriden. Ann Parker did. She said he knew of every thing.

All three Guilty, 10d.

[There was another indictment against them for a crime of the same nature.

146. (M.) Abigail Littler, spinster, was indicted for stealing one linen shift, one pair of white stockings, one pair of ruffles, three caps, a linen handkerchief, and a stomacher, the goods of Eleanor Trotter, and one napkin, one flower'd cotton gown, two yards of linen cloth, and one white linen apron, the goods of Elizabeth Turner, March 12.

Eleanor Trotter. I am out of place at present; I did live with Mrs. Turner, in May-Fair, and had left the things there, but was out of town when they were lost.

Q. How long did you live there?

E. Trotter. I lodged there about a fortnight; on the 12th of February last I went to Hampstead, to live servant there.

Q. What were the things you left at Mrs. Turner's?

E. Trotter. There were in my box there one linen shift, one pair of white cotton stockings, one pair of faced ruffles, three linen caps, one white linen handkerchief, one cotton stomacher, a diaper napkin, and a great many things that are not in the indictment. I was at Mrs. Turner's on the first or second of March, and to the best of my knowledge they were all safe then; I return'd to Hampstead, after staying there one night, and came to town again on the 12th of March, about seven in the evening; Mrs. Turner was not then in her lodgings.

Q. Did you know the prisoner before?

E. Trotter. Yes; she is a relation or an acquaintance of a fellow servant of mine at Mr. Pelham's.

Q. Where did you see her on the 12th of March?

E. Trotter. She was a lodger in the same room where my box stood; she came up stairs and open'd the door of the room, took a candle out of the closet, and went down stairs and lighted it; then I saw my box was standing open.

Q. Had you lock'd it when you saw it last before that?

E. Trotter. Yes.

Q. Was the box broke open, or was it open'd by a false key?

E. Trotter. The nails were drawn, and I missed all the things mention'd in the indictment out of the box. I went to Ingrim's, where there was a person who said she had a strong suspicion of Abigail, and said she would go with me and talk to her, to see if we could get her to own it. We went the next morning, call'd her out and told her, we suspected her to be the person who had taken the things, but she protested she knew nothing of them. The maid of the house was taken up, and carried before justice Wright, on the 12th of March; the prisoner went along with me to get the warrant, but there was nothing proved against her, and she was discharged.

Q. Did you find any of your goods again?

E. Trotter. Yes, we did, at Mr. Powell's a pawn broker (*a parcel of goods produced in court.*) These are my property, and what I left in my box when I went out on the first or second of March.

Q. How came you to find the things out?

Trotter. One Ann Humphrys, whom she had sent with them, discover'd it to me, and went to the pawnbroker's with me, where we found them.

Q. What did the prisoner say for herself, when she was taken up?

Trotter. She then said she took the things out of my box.

Q. Where did she say this?

Trotter. This was before she was carried before the justice.

Q. Did she say then how and when she took them?

Trotter. She said she took them out of my box on the first of March, when I went out, and left it open.

Q. Did you go out and leave it open?

Trotter. I do not remember my going out, then and leaving it open.

Q. What did she say before the justice?

Trotter. There she own'd she had taken them.

E/A

Elizabeth Turner. I lodged in May Fair, and the prisoner came to lodge there after I was gone; I went into service on the fourteenth of February, and left in the lodging a flower'd cotton gown, two yards of linen cloth, and a white linen apron.

Q. Were they lock'd up?

E. Turner. I left them in the closet loose.

Q. Was the closet lock'd up?

E. Turner. No; there came a woman that had been my fellow servant at Mr. Pelham's, and I thought they were as safe in her care as my own custody.

Q. When did you miss them?

E. Turner. I missed them on the thirteenth of March.

Q. When had you seen them last before?

E. Turner. I am sure they were safe the Saturday before, for then I was in the lodgings and examined them.

Q. How came you to suspect the prisoner?

E. Turner. I heard of a few trifling things she had done, and went to her to try if she would confess any thing, but she would not; I went to her a second time, and she would not then. There was Ann Humphrys, who told me she had lately pawn'd some cloaths of her own, and some for the prisoner, at Mr. Powell's. I took Ann Humphrys with me thither, in order to see what was pawn'd there, and the pawnbroker, instead of fetching Ann Humphrys's cloaths, brought down mine; then I asked him after my other cloaths, but he said he had not got them, and I never had them.

Mr. Powell. Humphrys pawn'd these things with me in her own name.

Q. Where is Ann Humphrys?

Powell. She is a prisoner in Newgate, but the bill against her is thrown out.

[Ann Humphrys is order'd into court, and sworn.]

Ann Humphrys. Some time in March, about the beginning, the prisoner at the bar gave me some things to pawn, I cannot justly say what they were.

Q. Look at these things here produced.

A. Humphrys. I pawn'd these things in my own name for the prisoner at the bar, who brought them to me as her own.

Q. Did you ever live in that house in May Fair, where the things were?

A. Humphrys. No, I never did; nor ever was in the house but three times.

Prisoner's Defence.

I took them by a mistake, and designed to have

got them back, but had no money, so could not get them in time.

Guilty of stealing the goods belonging to Trotter.

147 (L.) *Thomas Carle* was indicted for stealing one linen handkerchief, value 10d. the property of William Axford, March 10.

William Axford. On the 10th of March I was coming from the Exchange, and just before I came to St. Paul's Churchyard I thought I felt a man's hand in my pocket.

Q. What time of the day was this?

Axford. It was near three o'clock. I look'd over my shoulder, and saw the prisoner at the bar. I put my hand in my pocket, and found I had lost nothing at that time. I walk'd on into the churchyard, where I look'd back, and finding he followed me I thought I would stay and see a little of his performances. I stop'd at a print shop, and he came and fix'd himself at the rails of St. Paul's, where he made his observation (seemingly) whose pocket he could play upon best. I saw him eye other people's pockets as well as mine. He came up by me after he had stood there a minute or two, first on my left hand and then on my right. I observed his motions, altho' I looked earnestly at the prints; my handkerchief was then in my pocket. After he was behind me a little while he went away, and then I found my handkerchief was gone. I went after him and took him by the shoulder, saying, Now I have you. He then drop'd the handkerchief.

Q. How far had he gone from you?

Axford. Not above three or four yards.

Q. Are you certain he drop'd it?

Axford. Yes.

Q. Did you feel his hand in your pocket?

Axford. I can't swear I felt his hand in my pocket, tho' so intent on observing him (the handkerchief produced in court and deposed to.)

The prisoner said nothing in his defence.

Guilty.

148 (L.) *Mary Grant*, spinster, was indicted for stealing one stuff gown, value 5s. and one pair of stays, value 3s. the property of Sarah Baldwin, spinster, March 26.

Sarah Baldwin. I live in Seven-step Alley, Petticoat Lane. On the 26th of March, I lost a gown and a pair of stays, out of the bed chamber where I lodge, up one pair of stairs.

Q. What reason had you to suspect the prisoner took them?

S.

S. Baldwin. I took her up on suspicion, and she confessed that she took them.

Q. Did you know the prisoner before?

S. Baldwin. I never saw her before in my life.

Q. How came you to know her so as to take her?

S. Baldwin. I took her up by the description* a pawnbroker gave me of her. I had been to several, and at one pawnbroker's I found my stays, and he described her.

Q. What is the pawnbroker's name?

S. Baldwin. His name is Moses Coronell. Another pawnbroker's name is Robert Taylor. She had pawn'd the stays at Coronell's, and the gown at Taylor's (*the gown and stays produced, and deposited to.*)

Q. Did you lend your gown to the prisoner?

S. Baldwin. I never lent it nor gave it to any body.

Q. What did the prisoner say for herself?

S. Baldwin. At first she did not own it, but at last she did, and said where she had pawned them both.

John Wood. I am a constable. I know nothing but the finding the gown Mr. Taylor deliver'd that to us without any trouble.

Robert Taylor. I am a pawnbroker; the prisoner brought this gown to me, and I lent her 4s upon it in the name of Mary Grant.

Moses Coronell. The prisoner at bar brought the stays to me, I am a pawnbroker.

Prisoner's Defence.

It was a young girl that I kept company with who gave me the gown and stays to pawn; she was going down to Coventry the same day. She was in a great deal of distress, her name is Mary Carle. I am not 17 years of age yet.

Guilty.

* *The prisoner had remarkable sore eyes.*

149, 150. (M.) Margaret, wife of John King, and Mary, wife of Francis Granbille, were indicted, the first for stealing one worsted green purse, value 2d. thirty guineas, forty-six half guineas,

and one 36s. piece of gold, the property of Felix Donnelly, and the other for receiving four guineas, part of the said money, well knowing it to have been stolen, April 9.

Felix Donnelly. I was making my way home.

Q. Where was you?

Donnelly. Near Rosemary Lane. I met the two prisoners by accident; they proposed to shew me my way home.

Q. When was this?

Donnelly. This was on the 9th of this present month.

Q. What time was it?

Donnelly. It might be betwixt eight and nine o'clock.

Q. Where is your home?

Donnelly. My home is in Chiswel Street, by Moorfields.

Q. Did they shew you your way home?

Donnelly. No; instead of that they brought me under a gateway. I said, I am sure this can be no thoroughfare. They said, *Well, well, step up here.* There were two or three stairs that went up into a sort of a room, where was a fire and candle, and two other women; they desired me to sit down, and they would shew me my way directly. I sat down. I had not sat long before they asked me for something to drink, so I gave them something, but how much it might be, I cannot tell. By this time I wanted to go. Two of them said, you shall not go, and surrounded me, so that I did not know which was best to do. There was a sort of a bed, but of no account. They told me it was the best and safest way to lay there, and I should be as safe as can be till morning. I took off my coat and breeches and laid me down, and Margaret King came and whip'd my breeches from under my head.

Q. Was you awake?

Donnelly. I was as wake as your honour is now. She took my purse from out of it, in which was 56 or 60l.

Q. Was you drunk or sober?

Donnelly. Indeed I had been taking pleasure in drinking, but I was not drunk.

Note. *The Remainder of these Proceedings will be published in a few Days.*

THE
PROCEEDINGS

ON THE

King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of L O N D O N,

And also the Gaol Delivery for the

County of M I D D L E S E X,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 16th, *Thursday* the 17th, and *Friday* the 18th of APRIL,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER IV. PART II. for the YEAR 1760.

Being the Fourth SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir THOMAS CHITTY, Knt.

LORD-MAYOR of the CITY of L O N D O N.

L O N D O N:

Printed, and sold by G. KEARSLEY (Successor to the late Mr. *Robinson*) at the
Golden-Lion, in *Ludgate-Street*, 1760.

[Price Four-pence.]

City of London

County of W. I. D. E. S. E. X.

HELD A.T.

Justice-Hall in the OLD-BAILLY

On the 14th the ship, leaving the 10th, and finding the 11th of April.

in the Thirty-third Year of His Majesty's Reign.

NUMBER OF PARTS II. for the Year 1900.

During the Fourth Session in the MAYORALTY of

The Right Hon^{ble} Sir Thomas Chitty, Knt.

Lord-Mayor of the City of London.

W. D. M. O. R.

General in the army, 1860.

Chen-Lan, in the morning, 1968

Price 10/-

THE P R O C E E D I N G S O N T H E

King's Commissions of the Peace, and Oyer and Terminer, for the City of LONDON, and at the General Sessions of Gaol Delivery of *Newgate*, holden for the said City of LONDON, and County of MIDDLESEX, at *Justice-Hall* in the *Old-Bailey*, &c.

Q. CAN you tell the just quantity of your money ?

Donnelly. I cannot, because I had laid out some.

Q. When had you seen it last ?

Donnelly. I saw it not half an hour before I met with them.

Q. What happened after this ?

Donnelly. Then, Sir, they made off every one of them, all four, and the place was left to myself, nobody at all there. I got up, and made into the street as fast as I could ; going there I cried out, *murder, I was rob'd, and the like.* I met a man, who said, the whores and bitches are gone off with your money towards East Smithfield. I ran this way, that way, and the other way, but could see nothing of them till it appeared day-light. Then one of them came to me, and said, one of the bitches ran down such a place, shaking a purse of gold, and saying, here is money enough, buying goods here and there.

Q. How did you find them ?

Donnelly. I found them in a gentleman's shop, where they had bought several things, the next morning very early.

Q. At what hour ?

Donnelly. Perhaps between seven and eight o'clock. I found them myself, with the help of a young woman that guided me, and so on.

Q. At whose house did you find them in East Smithfield ?

Donnelly. In a shopkeeper's house there.

Q. What does he sell ?

Donnelly. He sells cloaths of one sort or another. The two prisoners were both there. I took upon myself to stop them, with the assistance of the

girl that guided me. Then I sent for an officer. When he came I charged him with them, and upon searching the prisoners, found the quantity of money that he has to give an account of.

Q. Was you by at the time ?

Donnelly. Indeed I was.

Q. Where were they searched ?

Donnelly. They were searched in that place. We took them before justice Scot, before whom King declared, that one of the women had rob'd her of thirty guineas of the money, and ran away with it.

Q. How much was found upon King ?

Donnelly. I know partly, for there were three that received of my money, and King's daughter had most of it.

Q. Can you tell what money was found upon Margaret King ?

Donnelly. I cannot tell separately, but there was some money found upon her ; her daughter had six guineas and seventeen half guineas about her in a parcel of rags.

Benjamin Dixon. The prosecutor gave me charge of Margaret King, saying, she had rob'd him. When I first came into the room there were a great many people, who said a robbery had been committed of 56 guineas. I found in King's pocket two half guineas, eleven shillings in silver, and five pennyworth of halfpence. She had a little child about ten years of age, which I searched, but found nothing upon it. The child pull'd a cloak from out of its pocket. Then I searched again, and found a green purse with eight guineas and seventeen half guineas in it. I asked Margaret King if that money which I took out of her pocket belong'd to that purse. She said, yes, all but

but two shillings and eleven-pence halfpenny, which she said she had laboured hard for, and desired I would give it her again. The justice ordered me to return her that, which I did.

Q. What did the prosecutor say to that purse?

Dixon. I think he did say he would swear to that purse, as soon as I took it out.

Donnelly. I'll be sworn to this purse, my own wife made it, and the money I lost was all in this purse (*he kissed it*.)

Q. from King. Was I the person that pick'd you up in the street?

Donnelly. Yes, you was the very person, you was one of the two. This was all the money I had to live upon in the world.

Q. from King. What place did I pick you up in?

Donnelly. I think it was in one part of Rosemary Lane, or joining to it; I can't say justly, it was in the night.

Dixon. I searched the other woman at the bar, and found a guinea and a half between her stays and her shift; that I have separated here by it self. (*He produced some new cloaths*) This parcel of goods were found upon the two prisoners, being just bought, a gown, the lining, a cardinal, a silk hat and handkerchief.

King's Defence.

I was out all that day at hard labour, with my two small children, and I am big with another. I had been a begging all that day. This other woman carries chips about to sell. She came home and had lost the heel of her shoe. She asked me to be so good as to lend her my shoes. I lent them to her. She met Sarah Tilham and this man coming together. They called me to bring a light. I said, who in the name of God is coming, for I pay 9d. per week and she 6d. Said she, I have got an acquaintance, which I have known upwards of thirty years. She insisted upon my going to an alehouse, but I would not. The man gave Mary Granville 6d. to go for a pot of beer. He declared he had not a farthing about him but three shillings. This Tilham, he, and Eleanor Butler, sat together. Then he wanted some snuff. Granville went for a halfpenny-worth for him. When I came up with the pot of beer, I found him and the two women close together. As for any thing else I know nothing of his money. I said, what are you about? One of them said, hold your tongue, or I'll run this knife to your heart. He wanted to lie with Mary Granville, and the other woman said she had got the pox. He said he

liked his country woman better. He took me and used me very odiously, too bad to be spoke of; he put me in fear, and wanted to be rude with me, and gave the old woman a shilling for the bed, desiring she would coax me to lie with him; I said I had but one man that was father to all my children, and I would lie only with him. I never handled the purse, only the small money that was loose, which the child picked up in the high way and on the stairs in Blue Anchor Yard. I was barefooted and bare leg'd. Tilham was the landlady of the place. The prosecutor was rolling about in the street d—ning people, and calling them bitches, in the night.

Q. to prosecutor. What is your employ?

Prosecutor. I am a bookseller and bookbinder; I deal for some hundreds a year.

Q. Where had you been?

Prosecutor. I had been at Portsmouth some time.

Q. Where do you carry on your business?

Prosecutor. I had been eight months at Portsmouth, because it was a place of trade; I came up to replenish.

Q. Replenish what?

Prosecutor. To buy goods. I had above 140l. when I came to London.

Q. Did you bring it up, or receive it in town?

Prosecutor. I brought it up.

Q. Where did you pass the remainder of the night after they all four quitted the room?

Prosecutor. When I could not find the women, I thought it was my best way to go up the same stairs into the room again, and pass my time there till they came back again.

King Guilty. Granville Acquitted.

151. (M.) Mary Flintham, spinster, was indicted for stealing two yards of rattinet, value 4s. one yard of cloth, value 15s. five yards of shalloon, value 6s. and four yards of canvas, value 2s. the goods of Joseph Jewell, March 15.

Joseph Jewell. I am a taylor. On the 15th of March my foreman told me he saw the prisoner selling something black to Mrs. Bagurs.

Q. Did you know the prisoner before?

Jewell. She was my servant. Then I ordered him to go there, to know of her what she had bought of the prisoner. She said she had bought two yards of black shalloon. Then I went there myself, and she produced the shalloon, and said she gave 14d. a yard for it. (*Produced in court*.) I brought it home, and compared it with a piece of rattinet, and found it tallied exactly. I did not know

know at first that it was rattinet, but asked for shalloon. I found four yards of canvas upon the prisoner, also my property. I took her before the justice, where she own'd the taking the rattinet and the canvas, that is, she and Buckland the accomplice together.

Samuel Buckland. One night when my master was out she brought a key to me, and we went up stairs and opened the cutting room door, where we got another key, which opened another place. Then we went down stairs, opened a door, and took two yards of rattinet, and four yards of canvas at the same time.

Q. What did you do with them?

Buckland. She had them, and gave me three shillings, and bid me never say any thing about it.

Prisoner's Defence.

The boy gave them to me to sell.

Q. to *Buckland.* Did she take them, or did you give them to her?

Buckland. I did not give them to her; she took them indeed.

Guilty.

152. (M.) *John Clark* was indicted for stealing two guns, value 20s. eleven cheque window curtains, value 11s. one linen sheet, one banger, one picture, called an altar piece, and one pair of iron cheeks to a grate, the property of Richard Sing, October 21.

Richard Sing. On the 21st of October my summer-house was broke open, and all the things mention'd in the indictment were taken away. We had reason to suspect the prisoner at the bar.

Q. Where is your garden?

Sing. It is at Hoxton.

Q. What are you?

Sing. I am an upholsterer.

Q. On what account did you suspect the prisoner?

Sing. He having committed several things of the like nature. After that I was going by a broker's shop in Fleet Market, where I saw some of my goods. I asked the broker who he bought them of, and he described the prisoner at the bar. Then I got a search warrant, and in the prisoner's house I found one china cup, which I believe to be mine, they matching to the saucers which I have by me.

Q. What did you find at the broker's?

Sing. I found the picture and the cheeks to my

grate; the picture has my name on it. (*The picture and cheeks produced in court, and deposed to.*) I never found the rest of the things.

Q. Was you with the prisoner at Mr. Fielding's?

Sing. I was. He said the same as now, that is, he knew nothing at all of the matter. I asked his wife how she came by the cup.

Q. Was he by at the time?

Sing. He was in the same room. She said she bought it of a woman at the door. My wife asked her soon after where she had it. She said to her, she brought it out of the country.

William Wills. I am a broker, and live by Fleet Ditch. I bought these goods I believe of the prisoner at the bar, whom I described to Mr. Sing, and he said he suspected such a fellow. We got a warrant, and took him up. After we had got him, he said, Gentlemen, I hope you will give me a little air, and immediately jump'd out at a back window, and went to make his escape, but the constable and I took and secured him.

Prisoner. I thought the officers were going to press me, which made me want to get away.

James Bubb. The prosecutor came and told me he had lost some of his goods, and desired I would go along with him to the broker, who, he said, had described the person he bought them of, and it was one that had done some petty robberies in our neighbourhood. I went with him. We got a search warrant, and found this cup in the prisoner's house. I advised the prisoner to confess where he told the rest of the things. We had got him upstairs. He gave a jump down, and got from us, then jumped over one pannel of pales, and upon his going over another, we catch'd him by the leg.

Mr. Williams. I am a constable, and took the prisoner as he was at dinner. He said to me, Let me have a little air. I would not let him go. He jumped down and ran, and I ran round to meet him. He got over a fence I believe six feet high, with tenter hooks in it. As he was going over another I catch'd him by the leg, and with assistance we did secure him.

Prisoner's Defence.

I have got a witness here to prove how I get my living. I hope the honourable court will be merciful to me.

To his Character.

William Low. I have known the prisoner about six months.

Q. How do you get your living ?

Low. I am a glover.

Q. What is the prisoner ?

Low. He is a carpenter as far as I know, he professes so.

Q. Did you ever see him at work ?

Low. No ; he has work'd under my son.

Q. What is your son ?

Low. He is a hog butcher.

Q. What is your opinion of the prisoner ?

Low. I know he is a very mild peaceable man, and behaved himself very well.

Guilty.

153. (M.) **Patrick Shirlock** was indicted for that he, on the 21st of March, about the hour of eight in the night of the same day, the dwelling house of Jane Danfon, spinster, did break and enter, and steal out from thence ten linen handkerchiefs, value 10s. the goods of the said Jane.

Jane Danfon. I live in Longacre, and keep a haberdasher's shop.

Q. Are you a married woman ?

J. Danfon. I never was married. On the 21st of March last I lost thirteen or fourteen handkerchiefs.

Q. How did you lose them ?

J. Danfon. I saw a young man with either a blue or blue grey coat break my window, and take the handkerchiefs out.

Q. What time was this ?

J. Danfon. This was between seven and eight o'clock in the evening, it was candle light. I first heard the window break, then I look'd and saw a hand take them out.

Q. Have you got any of them again ?

J. Danfon. I have got some of them, not all.

Q. Do you know the prisoner at the bar ?

J. Danfon. I was so much frightened, I cannot swear to him.

Q. How came you by some of them again ?

J. Danfon. Mr. Fielding sent to me the very next night, and told me there were such handkerchiefs at his house ; I went there and saw them, and believe them to be mine.

Q. How many are there of them ?

J. Danfon. Here are ten of them (*produced in court*) these are part of the handkerchiefs I lost that night.

Q. Did you hear the justice examine the prisoner ?

J. Danfon. No, I did not.

James Bradbrooke. On the 27th of March last,

I was going over More fields, where I saw two young chaps ; I knew one of them had been committed two or three times. I knew him to be a thief. The prisoner was not along with them, but he walked behind them. On seeing me he turned his face back ; they were in Chitwel-Street, coming towards me.

Q. How old might the other lads be ?

Bradbrooke. About sixteen or seventeen years old ; the prisoner had a handkerchief, with something tied up in it, I judged he might be one of their party ; the others made off over the paved stones ; I call'd out, stop them, and caught hold of the prisoner, he said what do you want with me ; I asked him what he had got in his handkerchief.

Q. Did you ever see the prisoner before ?

Bradbrooke. No, not to my knowledge ; he said what is that to you. I brought him down to the Ship alehouse, and untied his bundle, and there I found these handkerchiefs (*produced in court*) I cut a piece off from one of the corners, so as to know them again (*he compared the piece and it agreed*) he told me he found them.

Q. Where did he say he found them ?

Bradbrooke. I think he said some-where towards Drury Lane ; I asked him if he did not know the other two lads ; he said he knew nothing of them ; I said I shall take you before justice Fielding, and you shall there give an account how you came by them ; he own'd nothing there, and Mr. Fielding committed him upon my oath.

Margaret Richardson. I was in Mrs. Danfon's shop when the window was broke open ; I saw a hand put in at the hole of the window, and the handkerchiefs taken out ; I touched either the handkerchiefs or the hand as they went out of the window.

Q. Did you see the prisoner's face ?

M. Richardson. No, I did not, so far as to swear to it ; I was in the shop and he in the street, and it was candle light. He had a blue-grey coat on.

Mary Dispaire. I was in the prosecutrix's shop when the window was broke, and the handkerchiefs drawn out, but I did not see the person that did it.

Prisoner's Defence.

I was going home to my mother's house, about nine o'clock. At the corner of Long-Acre, going into Drury Lane, I trod upon these things ; I found something soft under my feet ; I gave them a kick and they flew open ; I took them up and carried

ried them home to my mother's house, in Mayner-Street, St. Giles's, and in the morning I look'd in the paper to see if there were any such things advertised, and I found there was not: About ten o'clock I thought I would go and leave them in pawn, instead of a furtout coat. As I was going to leave them I met that man, he stop'd me in the street; this was between ten and eleven the next day. He asked what I had got under my arm, I said what is that to you? He took the bundle from under my arm, and said he would know how I came by them; I said I found them, and told him the place where; he took me into an alehouse and examin'd me, and then he took me before Mr. Fielding.

Q. to Bradbrooke. Where did he say he found them before Mr. Fielding?

Bradbrooke. He said there he found them in Drury-Lane.

He call'd three people to his character, one had known him from six years of age, the second had known him twelve months, and the third better than a year; they all gave him the character of an honest lad.

Acquitted.

154. (M.) *Mary*, wife of Richard *Bickett*, was indicted for stealing one silver cup, value 5s. one pair of silver salt-cellars, value 5s. one silver milk-pot, value 5s. one pair of silver shoe-buckles, value 12d. one pair of silver knee-buckles, and six gold rings, and 4l. 16s. in money, the goods and money of William Runting, in the dwelling-house of the said William.

William Coney. I only know I took in a great parcel of goods to pawn of the prisoner at the bar, she told me they were left her by a relation of hers that is dead within these five months.

Q. Do you know whose goods they were?

Coney. I know no other than what William Runting told me, he said they were his goods, and swore to them before the justice.

William and Mary Runting were called upon their recognisance, but did not appear. The prisoner was acquitted, and their recognisance order'd to be treated.

155. (L.) *William Lloyd* was indicted for stealing thirty yards of woollen cloth, value 40s. the property of Joseph Swain, March 2.

Daniel Rider. I live in Whitecross Street, by Cripplegate. I had been to the fire in Lad Lane, on the 2d of March. I came back on the Sunday

morning, about half an hour after two. The prisoner came by me as I stood at the White Horse door, a publick-house; he had been gone out of that house about half an hour before. I had seen him there.

Q. How near is that house to where the fire was?

Rider. I take it to be about a quarter of a mile. As he came by my door, he had this piece of cloth under his left arm. (*A piece of woollen cloth produced.*) I said to two women that were standing there, I believed here was a thief coming from the fire. One of the woman knew him, and said he was just gone from the White Horse. They wanted me to stop him, but I thought it was dangerous at that time of the morning. As one of them knew where he lodged, I thought it best to let him alone till day light. I got up the same morning about 9, and told people of it, and they blamed me for not stopping him. I went to the fire about 11 o'clock, and found a man belonging to Mr. Swain, who told me his master had lost such stuff. They got a warrant, in order to take up the prisoner. We went to his lodgings in Old Street with the constable, who knock'd at the door, and the prisoner got off his bed.

Q. What time was this?

Rider. This was about 2 o'clock in the day; he opened the door, and said he knew what we were come about, you come about this piece of stuff that I have got; it was locked up in a box, and his wife was gone out with the key. He called her up. She brought the key, and he delivered the piece to us. The constable took charge of the prisoner, whom we took before the justice, and he committed him.

Q. Where did he say he had it?

Rider. He said he had it from the Swan with two necks Yard. Mr. Swain has a warehouse in that yard.

John Willis. This piece of woollen cloth is the property of Mr. Swain.

Q. What are you?

Willis. I live with Mr. Swain, as a clerk.

Q. Did you lose any such cloth as this at the fire?

Willis. We lost a great many goods that night. This piece was thrown over the gallery amongst the mob. Many of the people took them to their own houses, and restored them again the next day, or two or three days after.

Q. Did you deliver any pieces to people that you did not know?

Willis.

Willis. I did many, to people I never saw before.

Q. Do you know the prisoner?

Willis. I do not. We lost a great many pieces.

Prisoner's Defence.

I happened to be in this yard at the time of the fire. A man came and desired me to lend him a hand with some goods that lay under the piazza's. We rolled out one pack into the street, with some more help. After that I came into the yard again, and a man gave me this piece of stuff, and bid me carry it away. I do not know the man, he was a stranger to me; he said take care of it. I went to go along with other people, and not knowing where they carried theirs to, going through the croud, I lost sight of them. Then I did not know what to do with it; but I knowing my wife was well acquainted with the gentleman that keeps the Swan with two Necks, where I had it, I thought I would carry it home, and my wife should carry it the next day. When they came for it, I did not deny having it.

To his Character.

John Lee. I have known the prisoner about three years, or better.

Q. What is he?

Lee. He is a bricklayer, and has work'd for me almost two years.

Q. What is his general character?

Lee. He is a very industrious honest man.

Q. How long is it since he work'd for you?

Lee. I believe it is pretty near a year ago.

William Norman. I have known the prisoner two years, or upwards.

Q. What is his general character?

Norman. I never knew nothing but that he was as honest a man as ever I employed, and I have had three score at a time. He has been to work at places where he had an opportunity of carrying away six times the value of this cloth. I sincerely believe he did it with no other intent but to carry it back again. His wife was born in the same town as the man that keeps the inn. If I thought he did not intend to carry the cloth again, I would not have gone over the threshold of my door to speak for him.

Q. When did he work for you last?

Lee. He work'd for me at the same time, the time of the fire.

Richard Grace. The prisoner is a tenant of mine, and has been, these two years.

Q. What is his character?

Grace. I know very little of him; he pays me my rent, and I have seen him come and go very orderly to his work. I never heard to the contrary but that he was an honest man, and I have seen him industrious.

Q. What are you?

Grace. I am a carpenter.

John Southwell. I have known the prisoner almost two years.

Q. What is his general character?

Southwell. I never knew or heard but that he was an honest man. I have trusted him in my house and he never wronged me of a pin's point, he might have wrong'd me of a great deal if he would.

William Sell. I have known him about a year and a half.

Q. What is his general character?

Sell. He is an honest hard working man, to maintain his wife and family.

Acquitted.

156. (L.) *William Sheen* was indicted for stealing 3 pair of steel snuffers, valve's, and one brass cock, the property of John Townsend, March 21.

John Townsend. On the 21st of March last, about noon, one Mr. Longest, a brass founder in Golden-Lane, came to me, and ask'd me whether Mr. Sheen had left me. I said no.

Q. What are you?

Townsend. I am a brasier. He ask'd me if he was an honest man. I said yes, for what I knew. He then said the prisoner had been to his house and offer'd some cocks to sell to his wife, in his absence.

Q. In what capacity was the prisoner employ'd by you?

Townsend. As a clerk, when he had no other employ. Having lost half a dozen cocks some time before, I went to the prisoner's apartment, with a constable and search warrant; the constable told the prisoner what we came for, and search'd about. One cock was taken out of the prisoner's pocket, I believe it is my property, but cannot swear positively to it; 3 pair of snuffers were found in his room in a trunk, which I was suspicious might be my property, but could not be certain, but I believe they are mine. His wife said he brought these snuffers from the country, but

but there is the mark on them that we mark with.
(produced in court.)

Q. What did he say before the justice?

Townsend. He said they were my snuffers, as we were going from the justice's to New Prison, and that he had sold some cocks somewhere about Fleet-Ditch, but they are not in the indictment.

William Partridge. I am a constable; in searching the prisoner's apartment I found three pair of snuffers, and have had them in my custody ever since. He denied having stolen them a good while, till Mr. Townsend said, let me look on the inside, which he did and said there was his mark. After that the prisoner own'd he did take them, and hoped Mr. Townsend would forgive him.

Prisoner's Defence.

These snuffers were found upon me. I took them out of my master's house with my handkerchief along with other things, without any design to keep them, for I intended to return them. He knows I never cheated him of any thing in the world, I am above it. I had put them in my trunk to take care of them, till I brought them again; I am sure my brother has given me above four hundred pounds within these four years, I had no occasion to steal.

Q. to Partridge. Did he confess how long he had them in his custody?

Partridge. He said nothing about that; he only said he took them out of Mr. Townsend's shop.

Q. Did he say he took them by mistake?

Partridge. I do not recollect he did.

For the Prisoner.

John Honyman. I have known the prisoner about 40 years.

Q. What is his general character?

Honyman. He came of a very good family; he served one Mr. Shaw in Gracechurch Street a great many years.

Q. In what capacity?

Honyman. He was a clerk.

Q. How long is that ago?

Honyman. Very near 20 years.

Q. Who has he lived with lately?

Honyman. He lived with Messrs. Honeywood and Fuller, bankers, in Lombard Street; he used to come often to me, we were bound apprentice together near 30 years ago.

Guilty.

157. (L.) John Jaques was indicted for stealing one quart silver mug, value 39s. the property of Thomas Haywood, March 6.

Thomas Haywood. I keep the stone-kitchen ale-house in the Tower. The prisoner is a soldier, and belongs to the battalion that lies in the Tower, the second regiment, belonging to colonel Blaney. I lost a silver mug that held a quart on the 6th of March, and the prisoner was in my house at the time, but I did not see him take it. On the 7th at night, Richard Barnfield, having heard I had lost a tankard, came and told me he saw a young fellow carry it out at my door. I was present when the prisoner was taken, and I charged him upon the information I had heard. He said he did not steal or touch it.

Q. Was you with the prisoner before the justice?

Haywood. I was with him before justice Manwaring, where he denied knowing any thing of it.

Q. Did he ever own the taking of it?

Haywood. I never heard him own that. The night it was lost he was turned down by the sergeant of the guard, but came up again, and staid a good while. There was a woman that he keeps company with in the house at the same time, who went out of the Tower after that.

Richard Barnfield. I saw the prisoner at the bar take either a silver tankard or a pewter pot, and go down stairs out of the prosecutor's house with it that night, with beer in it.

Q. What part of the house did he take it from?

Barnfield. He took it from the upper end of the kitchen, near the fire place, and I did not see him return with it.

Q. Did he take it publicly or privately?

Barnfield. I cannot be accountable which.

Q. Did he seem to hide it?

Barnfield. He put it in the hollow of his arm.

Q. How long was you in the house after this?

Barnfield. Not many minutes after.

Q. Did you inform the prosecutor of this?

Barnfield. I did. At that time I did not think any thing about it, not thinking but that he had brought it up again.

Q. Where did you mention this first?

Barnfield. I mentioned this to some of the servants the night after it was lost.

Prisoner. I was in Wellclose Square prison 14 days before he informed Mr. Haywood of it.

Q. q

Thomas

Thomas Walker. I was standing just on the outside of Mr. Haywood's door, when I saw the prisoner at the bar bring something out, and at the first glimpse I thought it to be a silver tankard, but I will not swear it was, for it might be a bright pewter tankard. He turn'd out on the left from the door, and I stood to the right of the door; he went some little distance from the door.

Q. How did he bring it out?

Walker. He brought it out as if it had beer in it.

Q. Was it open in his hand?

Walker. It was, and he went some little distance by Mr. Haywood's window. I saw no more of him, nor knew no more till the next night, when I heard Mr. Haywood had lost one. Then I was advised to come and give him an account of what I had seen.

Q. from prisoner. Did you see Thomas Parslow, a soldier, at the door at that time?

Walker. I saw nobody come out, neither did I see the prisoner speak to any body.

Prisoner's Defence.

Thomas Parslow is the man that spoke to me when I came out. I did not see Thomas Walker. I have two witnesses to the fact.

Court. Then it is necessary that they be separately examined. (*One was put out.*)

Thomas Parslow. I went along with the serjeant upon his rounds, in the evening of the sixth of March. I saw the prisoner come out of the house called the Stone Kitchen, about a quarter before ten o'clock.

Q. to Walker. What time was it you saw the prisoner come out of the alehouse called the Stone Kitchen?

Walker. It was much about the same time the last witness mentioned.

Parslow. There are four men go their rounds; three private men and a serjeant. I stood on the step of the door, and he came down stairs and open'd the door; I asked him if the serjeant was coming down, or if there were a great deal of company up stairs.

Q. Why did you ask that?

Parslow. Because the serjeant had staid longer than ordinary. The prisoner had neither quart nor pint pot in his hand, no more than I have this moment.

Q. to Walker. Was you there at that time?

Walker. I was there at the time that they went

their rounds. The serjeant at that time was above stairs, seeing the house clear'd of the soldiers.

Q. to Parslow. Did you see Walker?

Parslow. I did; he was about a yard or a yard and a half from the door: At that very time the prisoner came out at the door, and went about three or four yards from the door, and stood stock still. I saw both his arms before him when he came out of the door.

Q. to Walker. Did you see Parslow at that time?

Walker. I did not.

Q. Might he not be there and you not see him?

Walker. If he was behind me, it is more than I know of.

George Rook called in.

George Rook. I went into the prisoner's company about a quarter before ten that night; there was nobody but his wife with him in the stone kitchen alehouse. They were drinking out of a silver-tankard.

Prosecutor. It was not that which they were drinking out of that was lost; that which the prisoner had, had a lid to it, and it was a belly tankard, the other was a straight one without a lid.

Q. to Walker. Had the tankard you saw a lid to it?

Walker. The tankard I saw had no lid.

Q. to Rook. How long was you in that house?

Rook. He and I were both in that house till about eleven o'clock, till after the tankard was mist.

Nowel. I was in the house at that time, but not drinking with the prisoner, though in the same room. I saw the prisoner go down stairs, and I followed him immediately after as quick as possible.

Q. What time was this?

Nowel. I believe about half an hour after nine o'clock, or thereabouts.

Prosecutor. He went down again after that.

Q. to Nowel. Had you ever a silver tankard there without a lid?

Nowel. There was a tankard with a lid. I was drinking out of a pewter pint by myself.

Robert Hopkins. I know the prisoner at the bar; I was a serjeant in the same regiment that he belonged to, but I left the regiment about a year ago last Christmas. It is the second regiment of guards.

Q. What has been the prisoner's behaviour?

Hopkins. His behaviour, ever since I knew him, which is from a child, has been very good; I never heard any ill behaviour of him in my life; I was born in the same place with him; I enlisted him at

St. Edmundsbury; he was near sixteen years of age when I enlisted him.

Samuel Wheeler. I am a serjeant. I was corporal of a recruiting party when the prisoner was enlisted. I am still in the regiment.

Q. How has he behaved in general?

Wheeler. He has behaved as a good soldier; I never knew him punished at all; he behaved all ways very well.

William Spurr. I have known him five years, the 20th of this month. I pay the company which he belongs to. I never heard any misbehaviour of him in my life. He never missed guard, and behaved in his station as well as any gentleman in England, and is as honest I believe as any man this day in England.

Peter Stocken. I am his first cousin; I never heard but that he was a very sober lad.

Acquitted.

158. (M.) *Mary*, wife of William Middleton, was indicted for that John Guest and Thomas Smith were convicted last sessions for stealing two shirts, value 4s. nine handkerchiefs, value 20s. and one piece of Irish linen, the goods of Sarah Stafford, widow, in her dwelling-house; and that she, the said Mary, did receive and have two handkerchiefs, value 5s. part of the same, well knowing them to have been stolen.

The record of the conviction of Guest and Smith was read in court, when it appear'd they confessed the indictment.

Sarah Stafford. I live in Cockspur-Street, St. Martin's parish. I lost the goods mentioned in the indictment. I advertised them, and in about a week after a gentleman came and told me the persons that robbed me, as he supposed, were before justice Welch; I went there and saw the prisoner; he had one of my handkerchiefs about her neck. She took it off and I swore to it. She said she had another that hung upon her door at home. She owned she bought them of the two men cast last sessions, Guest and Smith. I think at first she said she gave three-pence each, but at last she said she gave a shilling each; I gave half a crown for them myself to the wholesale merchant, but that about her neck I had the misfortune to tear down about a quarter of a yard.

Cross Examination.

Q. Did she endeavour to conceal the handker-

chiefs?

S. Stafford. No, she did not, but came with one of them on when she was sent for to the justice.

William Partridge. I am constable. I heard Mrs. Stafford own that handkerchief which the prisoner had on before the justice.

Q. Did you hear the prisoner own she bought the two handkerchiefs for three pence each?

Partridge. No, I did not; I heard her say she gave a shilling for each.

Q. to Mrs. Stafford. Where is the other handkerchief?

Mrs. Stafford. I never saw it.

Prisoner's Defence.

I gave a shilling for this handkerchief. I always said I gave a shilling each; I never said three-pence. I live in Monmouth-Street, and deal in old cloaths. I did not know the men I bought them of before.

To her Character.

Joseph Tate. I live at the Kings-arms, Oxford-Road. I have known the prisoner three or four years; she did live in my neighbourhood, but has lately gone into this way of buying and selling old cloaths. Had she known the handkerchiefs to have been stolen she would not have bought them. What she has done I believe was through ignorance.

Mrs. Bilson. I live by the Seven-Dials; I have known her upwards of sixteen years; she nursed me of three children; now she sells old cloaths in a cellar, in Monmouth-Street. I believe her to be a very honest woman.

Acquitted.

159. (M.) *William Roberts* was indicted for stealing one pair of silver knee buckles, value 2s. and two silver stock buckles, value 4s. the property of John Parsons, April 5.

John Parsons. The prisoner has work'd for me upwards of three years. Last Christmas I counted up my stock and found some deficiency, which gave me some suspicion of the prisoner at the bar. On the fifth of April I desired my wife to conceal herself behind a partition joining to the stair case; in which partition is a little knot in the wood, which I can take out, and that commands the shew-glasses. She can better give the court an account of what she saw; after which we watch'd
she

the prisoner, and found upon him a pair of knee-buckles and two stock-buckles, my property.

Q. What are you?

Parsons. I am a cutler, and keep a cutler's shop, and sell silver.

Ann Parsons. I am wife to the prosecutor. I put on my cloak and went out, and left my husband and the prisoner at work together; I bid them take care of the shop. I went round, and came in the back way. This I did to take an opportunity to watch the prisoner, my husband having before hand designed to send the prisoner up into the shop, after I was gone.

Q. Where were they at work?

A. Parsons. They were at work below. He sent the prisoner up for some emery and oil. I was got to the hole, where I saw the prisoner come and take out of one drawer a pair of knee buckles, and out of another two stock buckles, silver, which he put into his waistcoat pocket, on the right hand side. I went out at the back door, and told the gentleman that made the buckles of it. He went home along with me, where he said to my husband, Mr. Parsons, call up your man. When he came up, my husband said, William Roberts, I have been a very great sufferer, and I have a very great suspicion of you. I have never wrong'd you in my life, said he. Said I, if you please to put your hand into his right-hand waistcoat pocket, there you will find a pair of silver knee buckles, and two silver stock buckles. The gentleman, Mr. Hatton by name, put his hand into that pocket, and there he found them. Then he asked him how he came by them. He gave him no answer, but fell down on his knees, and beg'd my husband would forgive him. Then we took him before the justice, where he said he knew nothing of them.

Thomas Hatton. I am a silver-buckle maker. On the 5th of this instant, between four and five in the afternoon, Mrs. Parsons came to my house, and told me she had seen the prisoner take a pair of silver knee buckles and two silver stock buckles out of two drawers, and desired I would go along with her. I went, and the prisoner was called up, whom we desired to go into the back room. Mr. Parsons began to accuse him of being guilty of robbing him. Mrs. Parsons said he had put them into his right hand pocket, in which I found them; three of them were of my own making, that is, two knees, and one stock buckle.

Q. Who did you make them for?

Hatton. I believe for the prosecutor; the prisoner beg'd forgiveness.

Q. from the prisoner to the prosecutor. Did you ever see me wrong you of a farthing?

Prosecutor. I always had an extraordinary opinion of him, as an honest man. I had no intention to bring him to this place; it was his own obstinacy. I desired him to give me an account of other things that I had lost, but he would not.

Prisoner's Defence.

I was coming from dinner that day from Newport Market, and I found these buckles in St. Martin's Lane; they were in two different parcels; I put them into my waistcoat pocket. I intended to keep a pair of knee buckles and one stock buckle for myself.

Guilty.

160. (M.) William Glasgow was indicted for stealing one hempen sack, value 6d. and four bushels of malt, value 10s. the property of Benjamin Smith, in the warehouse of the said Benjamin, March 15.

Benjamin Smith. I am in the corn trade, and my warehouses are in Durham Yard. I had notice sent me by one John Dunford, my warehousekeeper, that the prisoner had been detected in taking a sack of malt out of one of my warehouses there.

Q. How much is a sack?

Smith. That is four bushels. I ordered them to bring the prisoner to justice Cox's, which they did, and I met him there. I asked him how he could use me so, as he got his bread under me. He said he was drunk or he had not done it.

John Dunford. On the 15th of March last Andrew Bartley came and told me he had seen the prisoner going away with a sack of malt, which he thought was my master the prosecutor's property. I went up into the warehouses, and thought there was a sack gone. I went down stairs, and saw some malt scattered. I followed the trail, and saw the prisoner going down the stairs at Ivy Bridge. I took hold of him, brought him up to my master's warehouses, and told him I was informed he had stolen a sack of malt from my master's warehouse. He said he had not. At last he said he would go and shew me where it was. I went and saw it, and ordered one of our men to carry it again to our warehouse.

Q. How much was there of it?

Dunford. There were four bushels of it.

Q. What do you reckon it worth?

Dunford. I reckon it worth about ten shillings. We took him before the justice, where he confessed the taking of it.

Andrew

Andrew Bartley. I am a carman, and met the prisoner with a sack of malt on his back, as I was coming along with an empty cart. I went down to the wharf and informed Mr. Dunford of it.

Prisoner's Defence.

I did not steal any malt.

Guilty, 4s. 10d.

161. (M.) *Elizabeth Barrall*, spinster, was indicted for that she, on the 5th of March, about the hour of four in the afternoon, the dwelling house of Sarah Aldridge, widow, did break and enter, no person being therein, and two linen gowns, value 3s. seven yards of camlet, one black callimanco petticoat, one black tatin petticoat, one other black petticoat, two yards of red baize, one cheque linen apron, one dowlas shift, a pair of stays, a pair of ruffles, a ghenting apron, and other things, the goods of the said Sarah, in the said dwelling house, did steal, take, and carry away.

Sarah Aldridge. I received this letter (*producing one*) from the prisoner at the bar.

Q. How do you know she sent it?

S. Aldridge. I have shewed it to her since, and she owned she sent it.

It is read to this purport:

"Come directly to Mrs. Williamfon, your sister, in Hog Lane; she is very bad, come directly to her." Directed to Sarah Aldridge, Green Dragon Yard, Whitechapel.

S. Aldridge. I went, and while I was gone my door was broke open.

Q. Have you a whole house?

S. Aldridge. My house is over some stables, and there is nobody over nor under me. The door, after I am up, opens into my two rooms upon a floor; there is nobody lives there but me.

Q. Did you lock the door at going out?

S. Aldridge. I did.

Q. What time did you go out?

S. Aldridge. I went out a little after three in the afternoon, and returned about half an hour after seven at night; this was on the 5th of March. When I came back I found the staple drawn out, and I missed two linen gowns, seven yards of camlet, a black callimanco petticoat, a black stuff petticoat, two yards of nankeen, a cheque linen apron, a dowlas shift, a pair of stays, a pair of ruffles, a white ghenting apron, a pair of worsted gloves, a glove knot, eighteen caps, two white linen handkerchiefs, a purple and white ribband, a pair of

dowlas shift sleeves, and a silk and cambrick handkerchief, all from out of my room.

Q. Did you know the prisoner before?

S. Aldridge. No, I had no knowledge of her. I went and took up the woman on suspicion that brought the note, and took her before justice Berry: She told me it was the prisoner at the bar that sent her. Then I went by her direction, took up the prisoner, and carried her before the justice, where she was examined, and she confessed the thing. It was taken in writing, and signed by her. I saw her and the justice sign it.

Q. Did she sign it free and voluntarily?

S. Aldridge. She did.

[It was read in court, dated March 12, 1760, wherein it appeared she acknowledged the fact clearly and fully.]

Q. Did you get any of your goods again?

S. Aldridge. I got some of them again by her direction, and some were sold.

Sarah Aldridge, spinster. The last witness is my mother, and I live in the same house with her. On the 5th of March my two sisters and I came home before my mother, and saw the door about a quarter open, with the staple of the lock pull'd out, and laying some distance from the door. All the goods mentioned were in the house when we went out to work, and they were gone at our return, at seven at night.

Mary Aldridge. I am daughter to the prosecutrix. I heard the prisoner confess the taking of the things mentioned in the indictment, and we found part of them by her direction; some at Elizabeth Collings's, in Field Lane, a sale shop, some at Mr. Day's, a pawnbroker, near St. Andrew's Church, and some at Mr. Wybourn's, in Fleet Street.

John Johnson. I am a city constable. On the 19th of March we had two warrants, as part of Mrs. Collings's house is in the city, and part out of the city. We found there two linen gowns; at Mr. Wybourn's, in Fleet Street, we found seven yards of Scotch camlet; at Mr. Day's, in Holbourn, a pair of stays, an handkerchief, a petticoat, an apron, and a pair of ruffles. These we found by the direction of the prisoner. (*Produced in court.*)

Richard Crouchman. I am headborough of Whitechapel, and had a warrant granted by justice Berry on the 12th of March last. I took the prisoner before him, and she made the voluntary confession which has been read.

R r

[Thomas

[Thomas Packer, servant to Mr. Weybourne, Elizabeth Collings, and Henry Day, deposed to the taking in the things mentioned; they could not depose to the prisoner's person, but that they were pawn'd in the name of Elizabeth Rumbolt.]

Prosecutrix. These things are all my property; some of them are my two daughters wearing apparel, but I bought them all, and consider myself as owner of them all.

Prisoner's Defence.

I know nothing of the robbery. As to the confession they talk of, they bid me sign a paper, but I knew nothing at all of what it was; I never owned it. I wanted to see whether they could swear to me or not; I never was taken up at all.

Prosecutrix. Her sister and my kinswoman brought her to me, her sister having heard of the robbery, and of my saying I believed she was the person that rob'd me.

For the Prisoner.

Mary Allen. I am sister to the prisoner at the bar. There were three women came to me at Tottenham High Cross, who asked me if my sister was at my house, and told me of the robbery; so I and another woman went with her to the prosecutrix's house. She was willing to go with us.

Guilty of felony only, 4s. 10d.

See her tried for finding a letter to Mr. Briscoe, with intent to extort money from him, No. 68, in this mayoralty.

162, 163. (M.) *John Lacey* and *Mary Fulham* were indicted, the first for stealing two stuff gowns, value 4s. and one stuff quilted petticoat, value 4s. the property of William Lawrence; and the other for receiving the same, well knowing them to have been stolen, April 1.

M. gdaen Lawrence. I live at Cow Cross, and keep a chandler's and old cloaths shop; my husband's name is William. I was sitting by my fire side on the 1st of April, about eleven o'clock at night, when my door was push'd a little way open, and the things mentioned in the indictment were taken out. I heard them taken out, and went to the door, but saw nobody. Next day, between eight and nine in the evening, there was a cry of *stop thief*. A lad that lodges with me ran out, and took the prisoner. He had stole a joll of salmon. I took hold of the prisoner, and said, my boy, did you not take such things from me last night? He

was very drunk, and said nothing, but after a great deal of examining he owned that he and another boy took them; he said the other boy's name was Richard Knight, that they took out the two gowns first and carried them into an alley, and then went and took the petticoat, and when at the constable's house, he confessed they were sold in Rag Fair, and before Mr. Fielding he said Knight sold them while he was at the door, and that he did not know the person's name nor the street, but he could carry us to the house. He did so; it was in Red Lion Street, Roper's Alley, Goodman's Fields. He went into the house, and the woman at the bar was sitting by the fire with a child in her arms. The woman said she never bought any old cloaths in her life, that her daughter dealt in them, but she did not, but we found the petticoat there. The prisoner said her daughter bought it in the fair, and nobody had any thing to do with it.

Q. What did the boy say he sold them for?

M. Lawrence. He said he sold them for five and six pence. When we were looking about, the boy said we must go up stairs, for they keep things there. We found the petticoat under a bed up two pair of stairs; I believe it was not the prisoner's bed, for after we had found it a person came into the room and said to the prisoner's daughter, *O you base jade, how could you carry anything into my room?* we found one of the gowns over the prisoner's head where she sat (*produced in court and deposed to.*)

Richard Williams. On the second of July next I shall be 15 years old.

Q. Is your father living?

Williams. Yes.

Q. Do you know the consequence of taking a false oath, and what will become of you, if you should swear falsely?

Williams. I should go to hell, I beleive.

Q. Do you know the commandments?

Williams. I do.

Q. What is the ninth commandment?

Williams. Thou shalt not bear false witness against thy neighbour.

Q. Do you know that it is a very wicked thing to swear falsely against any body?

Williams. Yes, it is; my friends always told me so.

He is sworn.

Williams. On the 2d of April there was a cry of *stop thief*. A woman had lost a joll of salmon, and had given the boy at the bar a kick on the backside, and let him go. He ran down an alley, and

and I and another boy ran after him; he got hold of the prisoner before I did. We secured him, and brought him up the alley, and carried him to where he stole the salmon from. The people said, Mrs. Lawrence, why don't you examine this boy about your things? which she did. The boy was drunk, and said, I will tell you to-morrow, for I want to go to sleep; but at last he said that the other boy and he took them away at two different times.

Q. What is your business?

Williams. I follow the sea.

John Bennet. I am a constable. [He confirmed the confession of the boy, and the finding the gown and petticoat]

Lacey's Defence.

Knight came to me and asked me to go along with him; he bid me to look out, and I thought he was going to buy a pair of breeches of this woman; he got two gowns and went and laid them down up an alley; then he went and fetch'd a petticoat, and said he would carry them home to his sister, at his father's house, his father is a watchman. The next morning we carried them to this woman's house. I being at the door when he went in and sold them, looked through the key hole, and saw what she gave him for them.

Fulham's Defence.

I never bought such a thing in my days, and never saw this boy with my eye, till he came with the people to my house; my daughter buys and sells in the open fair.

For Fulham.

Margaret Bare. I live on Tower Hill. Mary Fulham's daughter bought a gown and petticoat in Rosemary Lane, on a Wednesday about a fortnight ago, betwixt eight and nine o'clock, and to the best of my knowledge the boy at the bar was standing at a little distance whilst she bought it of another boy. I took a great deal of notice of the gown, it was a brown stuff gown, and the petticoat was a kind of a pink colour.

Jane Skalon. I saw the prisoner's daughter buy these things in Rosemary Lane. I deal in the fair, and live in Whitechapel. She bought them of a young man, and I believe the boy at the bar stood by; she gave 6s. and 8d. for them.

Hugh Lowery. I have known Fulham between

four and five years. I live in her neighbourhood, and never saw her deal at all; she spins and works at home, and her daughter buys and sells.

Patrick Egan. I have known Fulham some time; she has a very good character.

Patrick Connolly. I have known Fulham five years. I deal in Leadenhall Market, in buying rabbits and fowls to carry about the streets, and rent a little house of my own. She took a room of me for herself and her husband, and she bears a very good character; she follows mending, washing, and spinning, but she never deals in old cloaths.

Lacey, Guilty. Fulham, Acquitted.

164. Mary Brown was indicted for stealing one duffil cloak, value 4s. the property of Samuel Jones.

Samuel Jones was called, but not appearing, she was Acquitted.

165. (M.) Thomas Wendell was indicted for stealing one silver watch, value 40s. one pair of silver knee buckles, one pair of brown cloth breeches, one hat, one wig, one pair of shoes, one cotton handkerchief, one pair of gloves, and one pair of metal buttons, the property of William Hopkins, April 7.

William Hopkins. I am an hostler, but am now out of place. I was at the Red Lion, Charing Cross. The prisoner asked me to go to the Haymarket. When we came from thence, it was about two in the morning. Then he said he would give me half a bed if I would go with him to his lodgings. I went, and in the morning I found myself in bed, but my shoes, buckles, breeches, hat, wig, buckskin gloves, two guineas in gold, five or six shillings in silver, and a silver watch, were gone, and the prisoner was gone also, and I lock'd into the room. The people of the house sent me some things to put on, till I went home to put on some of my own. Then I went to the Red Lion at Charing Cross again, where the man that keeps the tap there told me the prisoner was then in the tap-house. He seeing me, went and hid himself under the manger in the stable. I went and pull'd him out by the collar, and brought him into the tap room again. Then the master that keeps the inn desired one of his servants to take a candle, and look under the manger; he went with him, and there they found my watch. The master came to me and said, what case has your watch? I said, a shagreen one, which appeared to be the same they had found. Then the prisoner took my three buckles

buckles out of his pocket, and threw them down between my legs.

Q. Did you see him throw them down?

Hopkins. I did, and took them up. We carried him before justice Cox, but he would not confess any thing. He had sent away a parcel by a porter, and when the porter return'd to carry his box, we sent for the parcel back again; there were in it my breeches, hat, wig, and knee buckles: The key of my room was found in his pocket.

Thomas King. I am a watchman belonging to Covent Garden, and a porter in the day-time. After I had done my duty, I met the prisoner in Maiden Lane, who said, Watchman, if you'll carry this sack to the corner of Bow Street I will give you a pot of beer. I went with him to the Coach and Horses in Charles Street, where he got liberty of the people of the house to let him leave the parcel in the tap room. He called for a pot of porter, and then said, If you'll go along with me to the Red Lion at Charing Cross and fetch a box to this sack, I will pay you for your trouble. I went thither with him, where he called for a pint of purl, and after that another; then he went out and left me, and these people came in and said, I was along with a thief; I told them where I had carried a sack for him, and they desired I would go and fetch it away. I went along with two men, and brought it before justice Cox, where it was opened, and I saw the breeches, hat, wig, and a pair of gloves, which Mr. Hopkins owned. Then justice Cox sent me to the Red Lion at Charing Cross for the prisoner's box, which was also opened, but nothing found in it belonging to the prosecutor.

Thomas Stanley. I live at the Red Lion, and found the watch under the manger. [The things were produced in court, and deposed to.]

Prisoner's Defence.

I was at the Red Lion, Charing Cross, on Easter Sunday, where this man came in much in liquor, and I believe I was in his company about two hours; he said he was shut out, and I said if he pleased to accept of half a bed he was welcome; he said with all his heart, and going along he wanted some liquor, so we went to a night cellar in the Haymarket, where we staid about an hour; then we came to my room, opposite the Nag's Head in Hedge Lane, but he met with a girl, and we all three went and lay together; about three the girl was gone. I wanted to remove my lodgings, so

had the sack carried to the Coach and Horses in Covent Garden; then I came back to the Red Lion, and wanted the box to be removed to the Swan in Bishopsgate Street. I staid at the Red Lion two hours, or two hours and a half. Hopkins came into the yard, and challenged me with the things, watch, buckles, and the like. I said I did not know any thing of them, and that if he had lost them possibly the woman had taken them. He found a pair of buckles under the bench. I went into the stables, as I had been used to the yard, and having been drinking all the morning I wanted to lie down to sleep, where they came and disturbed me. I said I was willing to go before a justice of peace. I know nothing of the watch.

Guilty.

166. (M.) *Mary Smith*, spinster, was indicted for stealing 8 yards of worsted stuff called callimanco, value 5s. and 4 yards of other grey worsted stuff, value 6d. the property of Mary Atkins, widow, March 23.

Mary Higgins. I live in Durham Yard. On the 23d of March last I lost the goods mentioned in the indictment, the property of Mrs. Mary Atkins, which she gave me to do for her.

Q. How did you lose them?

M. Higgins. Mary Darling work'd for me, and the prisoner work'd for Mary Darling.

Q. Did you ever find the things again?

M. Higgins. Yes, they were found in the prisoner's lodgings; the constable has got them, but he is not here: I believe he is at Hicks's Hall about other business.

Ann Swallow. Darling's husband suspected the prisoner had got the things, so I and another person went to her room, and found them behind a trunk.

Prisoner's Defence.

I know nothing at all of it.

Guilty.

167. (M.) *John Sergeant* was indicted for stealing eight ounces of silver filings, value 30s. the property of Benjamin Cooper, March 8.

Benjamin Cooper. I live in Brownlow Street, Holbourn, and am a silver-smith. The prisoner was employed to file silver buckles for me, and had lived with me about twelve months. On the 8th of March John Fox had detected him with a parcel of silver file dust, upon which I inquired where
his

His lodgings were. I went there with my son, and we found two other parcels there; I had left orders at home not to let him go. There were about eight ounces in the whole. I had not spoke to him about it at that time. Then I called him into the shop, and asked him if those filings were not my property, and told him where I found them. He said they were, asked pardon, and said he was sorry for what he had done; he owned he had taken all that, and what he had about him, in about a week's time. I got an officer, and took him before Mr. Fieldings, where he confessed the filings were my property, and the justice committed him.

Isaiah Cooper. I am son to the prosecutor. John Fox, one of our servants, having seen the prisoner with some filings in his hand, I and my father went to his lodgings, and found there two other parcels of silver filings.

John Fox. I am servant to Mr. Cooper. On the 8th of March I saw the prisoner with some silver filings in his hand, and he seemed to hide it, which gave me a suspicion of him, so I acquainted my young master with it.

Prisoner's Defence.

On the 8th of March, when I came to work in the morning, I kick'd a bit of paper before me in the shop, which I pick'd up, and there was about a quarter of an ounce of filings in it. John Fox came and asked me what I had got in my hand, and bid me put it into the skin, and said if I did he would say nothing to my master about it; but presently he told my young master of it.

Guilty.

168. (M.) *Elizabeth Adams*, spinster, was indicted for stealing two silk gowns, value 20s. and one silk cardinal, value 10s. the property of John Vaughan, March 3.

John Vaughan. I am a peruke-maker, and live in Aylebury Street, Clerkenwell. The prisoner was a lodger in my house, and I missed these things mentioned on the 11th of March.

Q. What reason have you to suspect the prisoner?

Vaughan. I advertised them the day after I missed them, and a person came and told me he had seen such things sold to a person that keeps an old cloaths shop in Great Pulteney Street; I went there, and found them in a woman's shop.

Q. What woman was that?

Vaughan. I did not think she would be wanted,

so have not brought her here, nor the things neither.

Q. Did the prisoner confess any thing?

Vaughan. She did, she said she had taken them; she was then very much in liquor, and afterwards denied it.

Q. Did any body see her take the things?

Vaughan. No; there were two other people in the same room that might have taken them as well as she.

Acquitted.

169. *Robert Tilling* was indicted for that he, on the 18th of February, about the hour of three in the night of the same day, the dwelling house of Samuel Lloyd did break and enter, with intention the goods, chattels and money, of the said Samuel, to steal, take, and carry away; he was likewise charged with stealing and carrying away an iron key, a 36s. piece of gold, a moidore, and ten guineas, the property of the said Samuel; he was likewise charged with breaking the said dwelling house, with intention, feloniously and wilfully, the said Samuel Lloyd to kill and murder.

The prisoner pleaded guilty to that of the burglary and robbery, and spoke as follows:

My Lord, I from my first being taken into custody, intended to plead guilty. It has been reported since I have been taken up that I am a methodist, and that several masters and mistresses have discharged many such of their servants on my account. I beg leave to acquaint the honourable court that it was not the doctrine which the methodists teach that caused me to commit this robbery. I beg leave to trespass on your patience to speak a few words, as to the character of the young woman that I corresponded with. Notwithstanding my conduct in other respects, my behaviour to her was unexceptionable. I believe her to be a pious, godly young woman, and hope no censures will be cast on her on my account. I have no more to say, but to beg your Lordship's prayers, and those of the jury.

[There were two other indictments against him for robberies on the highway.]

Being brought to the bar the last day of the sessions to receive sentence, and asked what he had to say why sentence of death should not be pass upon him, he said,

I recommend myself to the mercy of God and this court, and acknowledge my crime is grievous both in the sight of God and man, for which I willingly give my life a sacrifice to the Lord. I am willing to receive the sentence due to my crimes.

crimes, and hope the young people in this court will take warning by me, in seeing the dreadful consequence and effects of telling a lye.* I desire the prayers of this honourable court.

* *He had told the young woman, to whom he made his addresses, that he was worth more than he was, and by taking these methods, to make it appear true, he was brought into this dreadful situation.*

N. B. His speech to the populace, and last prayer at the place of execution, were taken in short-hand, and transcribed by the writer of these proceedings, and may be seen in the Ordinary of Newgate's account of the malefactors, &c.

170 (M.) *Eleanor Bird*, widow, was indicted for stealing two linen sheets, value 2s. one blanket, value 1s. and one pillow, value 2s. the goods of William Povey, the same being in a certain lodging room let by contract, &c. July 20. 1757.

Sarah Annab Povey I am wife to William Povey, and live in Newton's Street, High Holbourn. The prisoner took a lodging of me two years ago, and quitted it in July, the same year, and took the key away with her. Then I missed the things mentioned in the indictment, and I never saw her till the 12th of March, when she was taken up. We took her before the justice, where she owned she had taken the things mentioned, and told us where she had pawn'd them, which was at a pawnbroker's by Queen Street, near Holbourn, but he is since run away.

The prisoner had nothing to say in her defence.

Guilty.

171. (M) *Daniel Garton* was indicted for stealing one cloth coat, value 14s. one waistcoat, value 8s. one pair of cloth breeches, value 2s. and one hat, value 3s. the property of Thomas Clark, April 15.

Thomas Clark. The two coats, breeches, and hat, I have now on, were taken out of my room, which is over a coach-house in Rose and Crown Yard, King Street, St. James's Square; I missed them last Tuesday morning, betwixt eight and nine o'clock. Mrs. Johnson was kind enough to stop them, and send her servant to let me know of them, he having told her who he drove a coach for.

Q. Had you known the prisoner before?

Clark. I had no acquaintance with him, he is a coachman; upon my describing them, she deliver'd them to me.

Mrs. Johnson. The prisoner came to my house one evening between eight and nine o'clock, and offered the cloaths mentioned in the indictment to sell, saying he was intrusted to sell them for a man that had run out his cash and wanted a little money. I said if he would bring anybody to give an account of his character, I would buy them. He went away and left them, and the next morning came again, saying he would make good his character if my servant would go along with him, that he was then going to Fleet Bridge, and would call as he return'd. He said he would take my servant to Dr. Graham's, but not returning as he had said, I sent my servant to the Doctor's, and Mr. Clark came back with him, who described the cloaths, and I deliver'd them to him. The prisoner came a third time, and insisted upon money or cloaths. I told him I had given them to the right owner. Then he said he would clear his character, and staid in the shop two hours or better. Then we took him before justice Welch, and he was sent to the Round-house; and yesterday the prosecutor came and gave an account of the cloaths to justice Welch, when the prisoner said that another man gave him the cloaths to sell.

Daniel Terry. I am servant to Mrs. Johnson, and saw the prisoner bring in the cloaths; he said that an acquaintance of his sent him with them to sell.

Q. Was you there when Mr. Clark came and own'd them?

Terry. I was; I went for him, and he described them to me.

Prisoner's Defence.

The cloaths were given me that night to sell for a man whom I know by sight; I was to bring him the money back to the Coach and Horses in St. James's Square, and he said he would give me part of a pot of beer.

Q. To Prosecutor. What are you?

Prosecutor. I am coachman to Mr. Graham in Piccadilly, and engaged the prisoner to drive for me the week before, while I was out of town.

Q. Had he access to the room where the cloaths lay?

Prosecutor. I believe he lay in that room in my absence.

Guilty.

172. (L.) *Elizabeth*, wife of Samuel Hurry, was indicted for obtaining of Low Carmichael eleven yards of cotton cloth, value 16s. and 4d. fix yards of cheque linen cloth, twelve yards of Irish linen,

linen, and one yard of long lawn, the goods of the said Carmichael, by false pretences, &c. Dec. 2.

Low Carmichael. I am a linen-draper, and live in Ludgate Street. About the beginning of December last the prisoner came to my shop, and said she wanted some goods of different kinds, as specified in the indictment. She was served with them; they came to 40s. and 6d. After she had bought them, she said she had not money enough in her pocket, but if we would fend them to her house, the Gentleman and Porter in Chancery Lane, she would pay the money. The young man who carried them was foolish enough to leave them without taking his money, contrary to his orders.

Samuel Rawley. The prosecutor is my master. I carried some goods to the Gentleman and Porter in Chancery Lane, and inquired for Mrs. Hussey. The prisoner came and told me her husband was gone out, but when he came home she would pay me the money. I delivered the goods, cut the receipt off the bill of parcels, and brought it back again. She promised to pay the next night, but did not, and then the next morning, but did not.

Acquitted.

She was a second time indicted by the same name for unlawfully, knowingly, and designedly, by false pretences, obtaining from Samuel Welchman, eight yards and a quarter of linen cloth, value 13s. six yards of long lawn, value 13s. 6d. 27 yards of Irish linen cloth, value 34s. 10d. his property, Feb. 22.

Acquitted.

She was a third time indicted by the same name for unlawfully, knowingly, and designedly, by false pretences, obtaining from William Williams, thirty-two yards and a half of cheque linen cloth, value 37s. twelve yards of other cloth, twenty one yards of Silesia lawn, a piece of muslin, and a yard and a half of long lawn, his property, Feb. 22.

Acquitted.

N.B. The two last offences were committed in the same manner as the former.

The trials being ended, the court proceeded to judgment as follows:

Received sentence of Death 1.

Robert Tilling.

Transportation for fourteen years 1.

Eleanor Powell.

Transportation for seven years 27.

George Gill, William Ryder, Thomas Crackles, Thomas Carle, Mary Grant, William Sheen, Jane Powell, Elizabeth Barrett, Charles Potter, John Stabler, Mary Flintham, William Price, Thomas Gatts, Ann Parker, Elizabeth Parker, John Clark, Abigail Littler, William Roberts, William Glasfow, Margaret King, Elizabeth Maccall, John Lacey, Thomas Kendell, Mary Smith, John Serjeant, Eleanor Bird, and Daniel Garmon.

To be whipped 1. has money

Mary Spalding.

John Gust, Thomas Smith, and William Beckwith, capitally convicted last sessions, and Robert Tilling, this sessions, were executed on Monday the 28th of April last.

The Right Honourable Sir THOMAS CHITTY, Knt. Lord-Mayor.

GOD save the KING.

The next sessions begin on Monday the 19th of May at Guild-Hall, and on Wednesday the 21st at the Old-Bailey.

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Richard Hale, Ewer Street, in the Park, Southwark, Writing-maſter and Accomptant.

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Ifaac Padman, at the Bank of England.

Lawrence Pitt, Book-keeper, George Inn, Snow Hill.
W. Beckley, Watchmaker, Civer Cat, Norton Falgate.

Joseph Bedder, at Mr. Stanley's, Baſing Lane.
Joseph Collett, at Meſſ. Barnardifton and Howe's, Stationers, in Chancery Lane. And

Thomas Wells, Chafey, Weſt Harding Street, Fetter Lane.

THE
P R O C E E D I N G S

ON THE

King's Commissioners of the Peace, Oyer, and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 21st, *Thursday* the 22^d, and *Friday* the 33^d, of MAY,

In the Thirty-third Year of His MAJESTY'S Reign.

N U M B E R V. for the YEAR 1760.

Being the Fifth SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir Thomas CHITTY, Knt.

LOLD-MAYOR of the CITY of LONDON.

L O N D O N :

Printed, and sold by G. KEARSLEY (Successor to the late Mr. *Robinson*)
at the *Golden-Lion*, in *Ludgate-Street*, 1760.

[Price Four-pence.]

THE PROCEEDINGS ON THE

King's Commissions of the Peace, and Oyer and Terminer, for the City of LONDON, and at the General Sessions of Gaol Delivery for *Newgate*, holden for the City of LONDON, and County of MIDDLESEX, at *Justice-Hall* in the *Old-Bailey*, &c.

BEFORE the Right Honourable Sir THOMAS CHITTY, Knt Lord Mayor of the City of London; Sir MICHAEL FOSTER, Knt. * Sir RICHARD ADAMS, Kn. † Sir WILLIAM MORETON, Knt. Recorder; † and others of His Majesty's Justices of Oyer and Terminer for the said City.

London Jury.

John Ives
Allen Simonds
Henry Gregory
Joseph Swift
Thomas Pitman
Thomas Hilton
William Buskin
Francis Clark
Uriah Bedbury
Harry Thrup
John Christian
David Mouden

Middlesex Jury.

John Quainton
Edward Barlow
John Chilton
Robert Mason
Richard Grant
Joseph Barnham
John Beardmore
John Douglas
Richard Peele
Jeremiah Malden
John Timbury
John Philips

173. (M.) *Ethel Urwin*, spinster, was indicted for stealing 3 silver tea spoons, value 3s. one pair of silver tea tongs, value 1s. the property of William Brown, April 1. †

William Brown. I live at Kensington Gore, the prisoner came to live with me, on trial as a servant, some time in March.

Q. What is your employment?

Brown. I keep a public house, I had company, there were 3 Ladies which drank tea; I gave the prisoner 3 tea spoons and tongs for their use, about 6 in the evening.

Q. How long had the lived with you?

N. B. *The Characters* * † † direct to the Judge by whom the prisoner was tried; also (L. and M.) by what Jury.

Brown. About 7 or 8 days; after they had drank tea, I look'd in her face, and thought she look'd a little stupid in liquor, I order'd her to wash the spoons up, and put them into their proper place where they always are; this was near 8 o'clock; in about half an hour she took her bundles, and slipp'd off with the spoons in her pocket.

Q. How do you know that?

Brown. There was a painter there that told me, as soon as we miss'd her, that he saw her put the spoons in her pocket.

Q. Is he here?

Brown. No; he was a stranger to me. About 5 weeks afterwards, as I was going through St. Giles's, I saw her come out of a house; she seeing me, ran away, and through a house, and into another; I pursued and took her, and carried her before justice Fielding. She begg'd I would not take her there; and said, she would tell me where my things were: she own'd she had pawn'd them at the corner of Russel court, Drury Lane, at the house of one Rochford. I lost 3 spoons, but she own'd but to 2, and the tongs. Mr. Fielding sent for the pawnbroker, and his servant that took them in came; and she own'd she pawn'd them to him. (*produced in court, and deposed too.*) They have the same marks which they had when I bought them.

Peter Peel. I live with Mr. Rochford, a pawnbroker, I took these spoons and tongs in of a woman; I can't recollect the prisoner, they were brought at 2 separate times. I lent her 4s. on the whole; I heard the prisoner own before the justice she pawn'd them with me.

Prisoner's Defence.

I am very sorry for what I have done, but I was not in my senses when I did it, my master has not paid me my wages.

Q. Is

Q. to prosecutor. Did you take her to be out of her senses?

Prosecutor. No, I did not; I thought her to be a little in liquor then, for the time she was there I owe her about 15d. it cannot be above that, but I will give her half a crown (which he did) telling her he was sorry for her; recommending her to the court for mercy.

Guilty.

After she was found guilty, instead of returning her master thanks for his civility, and recommending her, &c. she curs'd him, and wished he might break his neck before he got home.

174. (L.) Ann, wife of John Preston, was indicted for stealing one scarlet cloth cloak, value 3s. one pair of worsted stockings, value 6d. 3 ounces and half of silk, value 9s. and one copper sauce pan, the property of Thomas Fisher, April 23. †

Ann Fisher. My husband's name is Thomas Fisher, I took the prisoner into my house out of charity. She took the things mentioned in the indictment from out of my house.

Q. From what part of your house?

A. Fisher. The stockings were taken from out of my window, the Cloak out of a Drawer. I work for Mr. Shover, in Crispin Street, and I sent her home with my work, which was the silk she carry'd, some to her own lodgings, some she took the money for, and got drunk with it, and this she dropp'd in the street, and a neighbour, one Mary Austin, pick'd it up; the sauce pan she had also out of my room.

Q. How do you know that the prisoner took the things?

A. Fisher. She own'd to it, she had pawn'd the cloak and sauce pan for 2s.

Q. from prisoner. Did you not give me leave to pawn that silk?

A. Fisher. No, I did not.

Q. from prisoner. Did you not say to me, my dear, I am glad to see you, and kiss'd me afterwards.

A. Fisher. A likely thing that I should do that, when you had pawn'd my things the Monday before.

Q. Did you give the prisoner liberty to pawn any of your things?

A. Fisher. No, I never did.

James Tapper. The prisoner at the bar pawn'd this sauce pan and cloak to me in the name of Ann Lofly (*produc'd in court, and depos'd too.*)

Mary Austin. I saw the prisoner at the bar drop this silk (*producing some silk*) on the ground. I took it up.

Q. When was this?

M. Austin. It was on a Tuesday, I do not know the day of the month.

Q. to Ann Fisher. When did you miss this silk?

A. Fisher. I was sick at the hospital; I ordered her to bring it there to me, that she might carry it home, and bring my money for it on the Monday; and I sent her home to my Master's with it on the Tuesday.

The Prisoner said nothing to her defence.

Guilty, 10d.

175, 176. (M.) Thomas Allen, and Francis Wardley, were indicted; the first for stealing, together with William Wake not taken, one copper pot and cover, value 6s. one brass pot and cover, value 5s. one brass stew pan and cover, value 2s. 2 pewter plates, value 1s. and 5 wooden trenchers, value 4d. the goods of Joseph Lee; and the other for receiving the same, well knowing them to have been stolen, March 10.

Joseph Williamson. I, one Wake, and the prisoner Allen, agreed to go to Mr. Lee's house to get what we could. Allen knew the way to the back door; they forc'd the door open, and we all 3 went in; Wake brought out the things.

Q. When was this?

Williamson. This was last Friday night was sevennight.

Q. What things did you take?

Williamson. We took a brass pot, a copper boiler, 3 covers, 5 trenchers, and 2 plates.

Q. What did you do with them?

Williamson. We carry'd them to Wardley's house, and he receiv'd them.

Q. Did he know how you came by them?

Williamson. Yes; we told him we had stolen them. The next Day Allen and Wardley went and sold them, but I was not with them then.

Q. from Allen. Who carried the things to Wardley's house?

Williamson. You and Wake did, and I went with you.

Q. from Allen. Who broke into the yard first?

Wil-

Williamson. They lifted me over the pales, and I let them in then: I told them, I believed the door was lock'd; then they came and forc'd the door open, and we got in.

Martin Lion. About the hour of 12, in the day, on the 10th of this instant May, Allen and Wardley came to my house with a pottage pot and cover, and stew pan to sell; my man bought them of them. I was out, I soon after returned; after which they came again with another pottage pot, which I bought of them. Allen vouch'd for Wardley's character; Wardley said it was his own property, and that his wife us'd to wash in it, and she was dead, so he would sell it, having no use for it. I gave him as much or more than any body else wou'd. I set it out at my door amongst other things to sell, and soon after Mrs. Lee came and own'd it. I said to her, if that is your property, I fear I have got more of your things, which I bought of the same persons.

James Neal. I am servant to the last witness. I bought a pottage pot, a stew pan, and 3 covers of the prisoner Wardley; my master was out at that time when I paid Wardley the money; he said, now I'll go and redeem a large pottage pot that I had pawned in a drunken frolick. I said, if he would sell that, my master would give him as much for it as any body; he would soon be at home; he went and brought it, and master came home and bought it of him.

Diana Lee. I am wife to the prosecutor. After these things were stolen, I went out with an intent to have them advertised; as I was going along, I saw the pot standing at Mr. Lion's door. I said it was mine. Then they said, they were afraid they had got more of my things, having bought more of the same persons, and if I had come about an hour sooner, I might have seen the men there. She show'd me the other things, and I own'd them.

Allen's Defence.

I was drinking in a public house, between 11 and 12 o'clock, my comrade Wake came and asked me if I would go with him, and fetch some goods that he had bought; I said, can you not let it alone till morning. He said, he could not go in the day time. I ask'd him where they were; he said, he would not tell me till I came there. When I came to the place, Williamson went up and said this is the door, and went into the yard,

and brought them out; I was not in the house, nor nigh it.

Wardley's Defence.

I was guilty in selling the things to be sure, but I did not know that they were stolen; I have been a soldier 18 years, and never was in trouble before.

To their Characters.

John Ellise. I now lie in the barracks with Allen; I have been acquainted with him 5 years; I never knew him to take away any man's property, neither did I ever hear he was accused of such a thing.

William Barry. Allen has been in our company between 5 and 6 years, he always behav'd well as a soldier, I never knew any ill of him before this, what he does when off from duty I know not; he never mis'd his duty, and always behav'd well and clean as a soldier.

Q. Do you know Wardley?

Barry. I do; he always behaved well as a soldier; I never knew any ill of him.

Robert Hunt. I have known Allen between 3 and 4 years, which is ever since I have been in the company; he always behav'd clean as a soldier, I never heard of his being guilty of any thing of this kind before; I know Wardly also, I never heard any ill of him, he behav'd well as a soldier.

Both Guilty.

177. (M.) *George Anderson*, was indicted; for that he, together with 3 others not taken, for stealing 11 hundred, 56 pounds weight of tobacco, value 40l. the property of William and George Sambrook, privately in their warehouse; it was laid also to be the property of James Ruffel, May 5.

William Sambrook. My brother George and I are partners and warehouse men. On Sunday the 4th of May, in the evening, my maid went up stairs, and came down again, and said she had been looking out at the window, and saw 2 men looking hard at the hinges of our warehouse door, and they go backwards and forwards, and take a deal of notice of the doors.

Q. Where do you live?

Sambrook. I live in Chamber street.

Q.

Q. Are your warehouses near your dwelling house?

W. Sambrook. There is one small house betwixt my warehouse and dwelling house; I stepp'd out, but could not see any body; I went to one of my men that lives in the warehouse, and said, get your gun and sword in order, we are suspicious that somebody will attack the warehouse to night. About 1 o'clock in the night he came and knock'd at my door, and said, there is somebody at the warehouse, for there is a half hundred weight against the door; I bid him go and call our other 2 Men, Thomas Cordwell and Daniel Groves, and said, I would be ready against they came back; I got up, and went and fetch'd my brother Christopher; we were going together, I saw 2 watchmen with lanterns, we went to the warehouse door, and I went in, there were 5 of us; we found one hoghead of tobacco clean gone, and another with the head out, and about 200 weight gone; I said, get away with your lights, for if they come again, if they see the lights, it may not be so well. My brother Thomas Cordwell and Charles Simpson walk'd at a little distance; Daniel Groves and I staid over against the door. We heard 2 men come whispering along by the side of the warehouse, it was then about 2 o'clock, they made a full stop. I had order'd them not to stir till the men were in the warehouse; but Daniel Groves had not patience, he stepp'd out, and I went out and took hold of one of them, and ask'd him, what he did there? and said, they must give an account of themselves before I parted with them. We walk'd down the street to my brother and the rest, then we took them to the watchhouse, and soon after one of the watchmen came and said he knew one of the men; that he was a milkman, and lived in Church yard Alley, White Chappel; we went to his house, and there I found a little bit of tobacco; we found there were 2 doors to the house. I staid till my brother went and, fetch'd more men. I fixed 2 at the back door; they told me there were 3 men went out at that door; but as they had no tobacco with them, they did not stop them. I went and got a King's locker; when I return'd, I met a woman in the house, with a child in her arms; the locker said, we have some suspicion that here his tobacco in this house. She said, there is some come in to night, unknown to me, it is in the celler; she took a candle and lighted us down.

Q. Whose house was this?

Sambrook. This was the house of Christopher Holmes.

Q. What is the weight of a Hoghead of tobacco?

Sambrook. Sometimes more, sometimes less; the whole of what we found there was 11 hundred and a half. We weighed it directly, we have brought some of it hear (*produced in court*) we drew some out of the parcel, and compar'd it with the sample that was taken at the landing of it, and it answer'd to that.

Q. Whose tobacco is it?

W. Sambrook. It is the property of James Russel, but I and my brother are accountable for any that is lost.

Q. When had you seen that hoghead last?

W. Sambrook. I had not seen it for a day or 2 before that.

Q. What use do you make of them warehouses?

W. Sambrook. No other use but for tobacco; I have a man lies in one of them to watch the goods.

Q. Do you sell any goods in the warehouses?

W. Sambrook. No; we only work the goods; there are coopers to shew the goods and draw the samples; they are show'd at the merchant's house.

Q. Does the buyer go to the warehouse?

W. Sambrook. No; only when he reviews them, after he has bought them at the merchant's house.

Q. Was you with the prisoner before the justice of the peace?

W. Sambrook. I was; there the prisoner said, while the rest of them held the 2 doors apart he went in between, and then he forced the door open, and the lock or staple flew.

Christopher Sambrook. I am brother to the last witness.

Q. Are you a partner with him?

C. Sambrook. I am not; it is another brother that is partners with him. My brother William called upon me about one o'clock that night; I went with him to the warehouse; there were Thomas Cordwell, Charles Simpson and Daniel Groves, standing by the warehouse door; they told me the warehouse had been broke open; I said to Cordwell and Simpson, do you come along with me, the other staid facing the door. I said, now the watch has gone 2, they will soon come if they come at all again. I saw a weight against the door, and the lock lay on the ground, the staple had been forced. Presently I heard my brother's voice; we both went up; and I heard my brother say, *you smell strong of tobacco*; then I laid hold of

U u

Anderson;

Anderfon ; they came with us very quietly as far as the warehouses. I said to Groves and Simpson, do you stay and watch here, we will go to the warehouse. When we came to the corner of White Lion street, Holmes made a resistance ; I had a sword in my hand, and Cordwell another ; we swore we would cut him down if he would not go quietly ; he held my sword in his hand, I was afraid of mischief, and drew it threw his hand, and cut it ; he was put in the cage, after that I was told he was a milkman, and lived in Church yard Alley. We went to his door, there I found some tobacco, and in his cellar we found the tobacco laid in the indictment.

Q. Do you judge it had lately been brought in, or had it lain there some time ?

C. *Sambrook*. I judg'd it had been just brought in.

Q. Can you distinguish that ?

C. *Sambrook*. When a hoghead of tobacco is just broke open, it is warm in the inside, and smells a great deal fresher (and so did this)

Q. Did the prisoner confess any thing ?

C. *Sambrook*. At the latter end of his examination he own'd to the fact ; he own'd they were all concerned.

Q. What was laid to their charge ?

C. *Sambrook*. Breaking the Warehouse open, and stealing the tobacco.

Q. Who charg'd them ?

C. *Sambrook*. My Brother and I ; Holmes was examin'd first, he told us in what manner it was done ; then Anderfon said it was done with a pick-ax ; that there were four of them, some shoved, and some pull'd the folding doors apart, and that he crept in between them, and the use of the pick-ax was to wrench the lock off, I think he own'd he broke the lock off, and let the other 3 in.

Prisoner. There was no lock at all on the door, if I was to die this moment.

C. *Sambrook*. The prisoner own'd, that Holmes stood at the door with a cutlass in his hand, and that he did carry some of the tobacco off.

Prisoner. I disown it, I did not carry a morsel.

Q. Did the prisoner say where he dispos'd of it ?

C. *Sambrook*. I believe he was not ask'd that (as we had been and found it in the cellar)

Charles Simpson. I am servant to Messrs. *Sambrook*. About 1 in the morning I heard a Disturbance.

Q. Where was you ?

Simpson. I was in my room in the warehouse, where I lie.

Q. For what purpose have you a room there ?

Simpson. To take care and see that nothing of this kind happens.

Q. What did you see or hear ?

Simpson. I heard a noise, I got up, and found the door put to, and a half hundred weight put against it. I went and told my master ; he sent me for other assistance : we met my master and his brother, and the watchmen came with their lanthorns ; we went in, and found a whole hog-head broke to pieces, and the tobacco gone.

Q. Was you before the Justice of the peace ?

Simpson. I was ; there I heard the prisoner at the bar say, the others held the folding doors open and he went in between, and with a pick-ax wrench'd the lock off.

Prisoner. You do not say right, there was no lock there.

Simpson. There was a lock there.

Q. Do you know how the tobacco is bought ?

Simpson. The buyer goes first to the merchant, and if he likes the sample then he buys it there, and after that, they compare them with the hog-head when it is weighed.

Christopher Holmes. On the 4th of May, between 11 and 12 o'clock at night, one Farrel came into my bed-chamber and call'd me up. I came down stairs, there was the prisoner and the rest, we went all together to Chamber street.

Q. What conversation pass'd ?

Holmes. James Farrel and Anderfon said, they wanted me to go with them to get some tobacco there ; we went to a pair of doors like barn doors,

Q. Who do they belong to ?

Holmes. I did not know then, but I do now, it is the warehouse that belongs to the prosecutors, as they say ; one shov'd one door, and others pull'd the other at the bottom, and the prisoner got in between, he had a pick-ax in his hand, and when he was within the inside he open'd the door.

Q. How did he open it ?

Holmes. He made a noise, but I being on the outside could not see how he did it.

Q. Had you a light ?

Holmes. No, none at all ; we all went in and opened a hoghead of tobacco, and took it all out, and part of another.

Q. How many turns did you make ?

Holmes. I cannot justly tell.

Q. Did you carry it all at 2 or 3 turns ?

Holmes.

Holmes. We did not carry it all at 2 or 3 either.

Q. What time did you begin to carry it away?

Holmes. As near as I can guess between 12 and one, or about 12, but I did not go with them till the last turn, then I did, and carry'd 2 or 3 leaves in my hand.

Prisoner. He carried about 4 pounds, he went along with them as a guard, and carry'd none till the last, then he carry'd some.

Q. Where did you carry it to?

Holmes. We carry'd it into my cellar in Church-yard Alley.

Q. After this, what became of you all?

Holmes. We all separated, Anderson and I kept together, we went back to Chamber-street, with a design to put the doors together, that it should not be soon discover'd by the watch; and as we were going towards the place, I saw 2 or 3 men on the outside. I said, who is there? they came up to me. One of them laid hold of the prisoner, and I walk'd on; they did not lay hold of me till we got to where the other 2 men staid to watch. The prisoner ask'd what they wanted with him? they said, you smell of tobacco, and they would tell him by and by; then they took us to the watchhouse, and after that before the justice.

Q. Did you in the warehouse declare what you have now, and to whom?

Holmes. When I was carry'd before the justice, I was charg'd with being an accomplice in taking this tobacco; and then I declar'd what I have now said, and what I know'd, and Anderson the prisoner could not deny what I said.

Q. Did he own it?

Holmes. He own'd he went into the warehouse when we pull'd and push'd the doors; he own'd to every thing that I said.

Q. From prisoner. Was there any lock upon the door, or not?

Holmes. How could I tell that, as I was in the street.

Prisoner's defence.

When the door flew open Holmes came in with a drawn cutlass, and said, any man that opposes or interrupts us he would have his life: when the hogheads were opened there were three men with him.

Guilty of stealing the goods, but not privately in the Warehouse.

178. (L.) John Fisher, was indicted for stealing one half peck loaf of wheaten bread, value 10 d. and two quartern loaves, value 10 d. the property of William Knight, May 20. †

George Crowder. I happen'd to see the prisoner loitering about the street; I watch'd and saw him take 2 quartern loaves, and a half peck loaf out of a baker's basket; he ran away with them, and I pursued and took him; he dropp'd the loaves in the street.

Q. Whose bread was it?

Crowder. It was the property of William Knight, on Snow-hill.

Q. Where was this?

Crowder. This was in St. Margaret's Lothbury.

Prisoner's defence.

I did not take it.

For the prisoner.

Mr. Huß. I have known the prisoner several years; I always took him to be an industrious honest man.

Guilty.

179. (L.) Catherine Dunn, spinster, was indicted for stealing a pair of buckskin breeches, value 15s. the property of Jasper Williams, April 7. †

Jasper Williams. I live in Tower street, the prisoner was my servant for 6 or 8 weeks, I lost a pair of buckskin breeches, I charged the prisoner with taking them; she own'd she did, and had sold them to one Dearing in Rosemary lane for 5s. (they cost me 25s. and were but just soiled) we went there, he denied buying them; said he did not know her, or that he never saw her: she told him to his face every particular; she said it was on a Monday morning.

Robert Warner. I was constable of the Night; the prisoner own'd before Mr. alderman Gosling she had taken the breeches, and sold them to one Dearing in Rosemary lane; we went there with her, the man said he had not bought any buckskin breeches for 3 months. She said, she ask'd him 6s. and he would give her but 5, and insisted upon what she said to be truth: he said he did not know her.

Prisoner's

Prisoner's Defence.

My prosecutor said, if I would own it he would let me free; so I own'd it, that he might let me go out of the compter.

Q. to prosecutor. Did you make her any promise?

Prosecutor. I said I would make it as easy as possible if she would let me know where my breeches and things were. *I left other things;* but I did not say I would not prosecute her.

Guilty, 4s. 10d.

180. (L.) **Thomas Keeling**, was indicted for stealing 18 copper halfpence, value 9d. the property of Walter Dicker and Joseph Hunt, April 29. †

Joseph Hunt. Walter Dicker is my partner, the prisoner had been my servant about 2 years and a half.

Q. What are you?

Hunt. A grocer; we had a suspicion we had mis'd some halfpence, so I wrote on several papers, put about 4d. worth of mark'd halfpence in a paper, there were a crown in each paper, and the next morning there were 2 papers gone, that is 10s. worth; they were put up for such, but there were 9 pennyworth mark'd in them both; them I can swear to.

Q. Did you find those mark'd on the prisoner?

Hunt. Yes, we did (*he produced the mark'd money*) he took them himself out of his pocket on being charged with taking them, and confessed directly.

Stephen Monday. I live with Mr. Hunt, I mark'd some of this money, I was by when Mr. Hunt call'd the prisoner down stairs, and charg'd him with taking this money; he own'd it, and pull'd them out of his pocket himself. *He looks on the money, and show'd the marks made by him.*

The prisoner said nothing in his defence.

For the Prisoner.

Henry Smith. I have known the prisoner between 2 and 3 years. I never heard any thing of him but that of an honest man.

Robert Harris. I have known him almost 20 years, he always bore an honest character before now.

Guilty.

1781 (L.) **Thomas Taylor**, was indicted for stealing 2 oyl sheepskins, value 6s. the property of Samuel Beckett, July 2. †

Samuel Beckett. I live in Long Lane by Smith-field; I went out to get change for a shilling to the next house. I pull'd to my hatch and my door; I was not gone above a minute, I saw the prisoner come out of my door with the leather under his arm. I call'd stop thief; he dropp'd the skins and run away. The neighbours run and took him; I took him before an alderman; there he said he was fuddled, which made him do it.

Randolph Carter. I was in the street, saw the prisoner come out of Mr. Beckett's shop with the skins under his arm; Mr. Beckett call'd out stop thief; I pursued him, he dropp'd the skins, I took him; and before the alderman he said he was drunk when he did it.

Prisoners Defence.

I had been to measure a gentleman for a pair of breeches, and I went in there to buy 2 skins to make the linings; I design'd to pay for them, but being a little in liquor, and the man came and call'd stop thief, it frightened me, or I would have paid for them.

For the Prisoner.

A Serjeant. The prisoner is a soldier in the first regiment of guards, and has been a soldier ever since the 10th of last August; he behav'd well as a soldier, as to his private affairs I know nothing of.

Guilty, 4s. 10d.

182. (L.) **Mary Tompson**, spinster, was indicted for stealing one pair of linnen sheets, value 5s. 2 pillow cases, value 2s. 3 diaper table cloaths, value 4s. 3 quilts, 2 diaper napkins, one copper tea kettle, and 3 silver tea spoons, the property of Daniel Catleay, in a certain lodging room let by contract, &c. May 6.

Guilty.

183. (M.) **Roger Allen**, was indicted for stealing 2 wooden ladders, value 5s. one screen made of iron and wood, value 5s. and 6d. and 6 boards, value 6s. the property of Henry Gregory, May 2. †

Henry

Hen. Gregory. I live in Half-moon-street, Hide Park Corner, and am a bricklayer; last thursday I miss'd the things mentioned in the indictment from out of a cellar in St. Giles's, which I rent for the use of my things, which I use in doing business for a gentlewoman that lives near that place.

Q. When had you seen them last?

Gregory. I had not been in that place for 5 or 6 weeks before.

Q. Did you ever find them, or any of them again?

Gregory. I found them all again last Saturday at one Patrick Graham's, who keeps a broker's shop near that cellar.

Q. How do you know them to be your property?

Gregory. Some of them had my father's mark upon them; the screen had, they had shav'd one of the ladders all over, but I know that by my often using it: three of the scaffolding boards were mark'd with J. G. my father's name.

Q. Was you at the justice's on the examination of the prisoner?

Gregory. I was; and was told by a labourer, that he had seen the prisoner take the things out of that cellar, and carry them to the broker's; then I went with a constable and found the things; then I went to the justice's again; the prisoner denied it a great while. Mr. Welsh ask'd him how he could so stiffly deny it, seeing it was so plainly made out against him; then he held down his head, and said nothing.

Q. What is the prisoner?

Gregory. He was my servant, but I had discharged him about 6 weeks before; he is a bricklayer.

Thomas Riley. I live in Wild-street, Bloomsbury, Mr. Gregory rents a room of me to keep his ladders and things in. About a fortnight ago last friday, the prisoner at the bar put out 2 ladders, a screen, and some scaffolding boards from that room. I said to him, what was Mr. Gregory going to do a small jobb.

Q. What time of the day was this?

Riley. This was about 11 o'clock in the day, he said he put them out by Mr. Gregory's order.

Q. How many scaffolding boards were there?

Riley. I think there were six; he carry'd them away, and as I found afterwards sold them.

Q. How came you to think they were at Graham's?

Riley. Mr. Graham owns to it.

Patrick Graham. I live in the Broad-way, St. Giles's; the prisoner at the bar brought 2 ladders, a screen, and some boards; I cannot tell how many, to my house, and I bought them of him.

Q. When?

Graham. I can't tell the day of the week, nor month neither. The prosecutor came, and he claimed more boards than were his own; and that ladder that I shaved, I had it from about a week or fortnight after Easter.

Q. What did you give the prisoner for the whole of what he brought?

Graham. I compute it at about 11 shillings, he brought them all at one time, and I made no scruple but they were his own property; he ask'd me if I would buy such things, saying, they were his own, he had been in business for himself, but was reduc'd.

Prisoner's defence.

I serv'd Mr. Gregory a good while, I believe for 3 quarters of a year on and off; as for these things, they were my own property; if there were any marks upon them I know nothing of it. No man never charg'd me with any thing of this sort in the world before; I have work'd for the Speaker of the House of Commons, my Lord Bathurst, and several others.

He call'd John Drawater, who had known him 17 or 18 years. Samuel Pemberton between 7 and 8 years. And John Smith about 7, who all gave him that of a good character.

Guilty.

184. (M.) Elizabeth Hall, Widow, and Sarah Grant, Widow, were indicted for stealing one silk sack, value 9s. 8 damask napkins, value 10s. 2 petticoats, value 7s. 2 linnen shifts, value 4s. one linnen apron, value 1s. 3 linnen table cloths, one linnen handkerchief, and one silk handkerchief, the property of Eliz. Gardner, spinster, April 23. †

Elizabeth Gardner. I live in Chandois-street.

Q. What business are you?

E. Gardner. I am of no business in particular.

Q. Do you rent a house?

A. Gardner. I am in lodgings.

Q. In whose house?

X *

E. Gard.

Prisoner's Defence.

My prosecutor said, if I would own it he would let me free; so I own'd it, that he might let me go out of the compter.

Q. to prosecutor. Did you make her any promise?

Prosecutor. I said I would make it as easy as possible if she would let me know where my breeches and things were. *I lost other things*; but I did not say I would not prosecute her.

Guilty, 4s. 10d.

180. (L.) **Thomas Keeling**, was indicted for stealing 18 copper halfpence, value 9d. the property of Walter Dicker and Joseph Hunt, April 29. †

Joseph Hunt. Walter Dicker is my partner, the prisoner had been my servant about 2 years and a half.

Q. What are you?

Hunt. A grocer; we had a suspicion we had misl'd some halfpence, so I wrote on several papers, put about 4d. worth of mark'd halfpence in a paper, there were a crown in each paper, and the next morning there were 2 papers gone, that is 10s. worth; they were put up for such, but there were 9 pennyworth mark'd in them both; them I can swear to.

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The prisoner said nothing in his defence.

For the Prisoner.

Henry Smith. I have known the prisoner between 2 and 3 years. I never heard any thing of him but that of an honest man.

Robert Harris. I have known him almost 20 years, he always bore an honest character before now.

Guilty.

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Prisoners Defence.

I had been to measure a gentleman for a pair of breeches, and I went in there to buy 2 skins to make the linings; I design'd to pay for them, but being a little in liquor, and the man came and call'd stop thief, it frighted me, or I would have paid for them.

For the Prisoner.

A Serjeant. The prisoner is a soldier in the first regiment of guards, and has been a soldier ever since the 10th of last August; he behav'd well as a soldier, as to his private affairs I know nothing of. Guilty, 4s. 10d.

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Hen. Gregory. I live in Half-moon-street, Hide Park Corner, and am a bricklayer; last thursday I mis'd the things mentioned in the indictment from out of a cellar in St. Giles's, which I rent for the use of my things, which I use in doing buhness for a gentlewoman that lives near that place.

Q. When had you seen them last?

Gregory. I had not been in that place for 5 or 6 weeks before.

Q. Did you ever find them, or any of them again?

Gregory. I found them all again last Saturday at one Patrick Graham's, who keeps a broker's shop near that cellar.

Q. How do you know them to be your property?

Gregory. Some of them had my father's mark upon them; the screen had, they had shav'd one of the ladders all over, but I know that by my often using it: three of the scaffolding boards were mark'd with J. G. my father's name.

Q. Was you at the justice's on the examination of the prisoner?

Gregory. I was; and was told by a labourer, that he had seen the prisoner take the things out of that cellar, and carry them to the broker's; then I went with a constable and found the things; then I went to the justice's again; the prisoner denied it a great while. Mr. Welsh ask'd him how he cou'd so stiffly deny it, seeing it was so plainly made out against him; then he held down his head, and said nothing.

Q. What is the prisoner?

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Q. What time of the day was this?

Riley. This was about 11 o'clock in the day, he said he put them out by Mr. Gregory's order.

Q. How many scaffolding boards were there?

Riley. I think there were six; he carry'd them away, and as I found afterwards sold them.

Q. How came you to think they were at Graham's?

Riley. Mr. Graham owns to it.

Patrick Graham. I live in the Broad-way, St. Giles's; the prisoner at the bar brought 2 ladders, a screen, and some boards; I cannot tell how many, to my house, and I bought them of him.

Q. When?

Graham. I can't tell the day of the week, nor month neither. The profecutor came, and he claimed more boards than were his own; and that ladder that I shaved, I had it from about a week or fortnight after Easter.

Q. What did you give the prisoner for the whole of what he brought?

Graham. I compute it at about 11 shillings, he brought them all at one time, and I made no scruple but they were his own property; he ask'd me if I wou'd buy such things, saying, they were his own, he had been in buiness for himself, but was reduc'd.

Prisoner's defence.

I serv'd Mr. Gregory a good while, I believe for 3 quarters of a year on and off; as for these things, they were my own property; if there were any marks upon them I know nothing of it. No man never charg'd me with any thing of this sort in the world before; I have work'd for the Speaker of the House of Commons, my Lord Bathurst, and several others.

He call'd John Drawater, who had known him 17 or 18 years. Samuel Pemberton between 7 and 8 years. And John Smith about 7, who all gave him that of a good character.

Guilty.

184. (M.) *Elizabeth Hall*, Widow, and *Sarah Grant*, Widow, were indicted for stealing one silk sack, value 9s. 8 damask napkins, value 10 s. 2 petticoats, value 7s. 2 linnen shifts, value 4s. one linnen apron, value 1s. 3 linnen table cloths, one linnen handkerchief, and one silk handkerchief, the property of *Eliz. Gardner*, spinster, April 23. †

Elizabeth Garaner. I live in Chandois-street.

Q. What buiness are you?

E. Gardner. I am of no buiness in particular.

Q. Do you rent a house?

A. Gardner. I am in lodgings.

Q. In whose house?

X *

E. Gar-

E. Gardner. Her name is Cale; I lost the things mention'd in the indictment, *mentioning them by name.*

Q. When did you miss them?

E. Gardner. I miss'd them as near as I can guess on the 23d of April last.

Q. When had you seen them before?

Gardner. I had seen them about 3 weeks before.

Q. Where?

E. Gardner. In the dining-room, I was sick at the time I lost them, is the reason I did not miss them sooner. I miss'd them as soon as I got up again; I had been ill about 3 weeks.

Q. Were they lock'd up?

E. Gardner. No, I believe they were on the table.

Q. Did either of the prisoners live servant with you?

E. Gardner. Elizabeth Hall liv'd servant with me, the other prisoner came backwards and forwards as a chairwoman when I was sick. When I miss'd the things, I ask'd Elizabeth Hall for them; she made me for answer they were not at home: I ask'd where they were? she told me, she would go and see to get them. I ask'd her if she had pawn'd them; as I was informed she owed some money, and if she had I would go and get them out again. She said she had not, but had given them to the other prisoner for her use, with this intention, that she should bring them back again, she being to receive 10l. in about a fortnight. When Grant came again to my house, I ask'd her what she had done with the things. She said, she had pawn'd them, and would soon bring them again, to one Mr. Hull, where I went and found the sack, petticoat, a napkin, a shift, and handkerchief (*produced in court, and depos'd too*) I found also another napkin, my property, at one Mr. Hudson's. (*produc'd*) I believe my servant was drawn in by Grant to do this thing; till she was acquainted with her she behaved exceeding well.

Robert Hull. I am a pawnbroker, these things produc'd were pledg'd with me by the prisoner Grant at different times.

Q. When was the first time?

Hull. Some about the 4th or 5th of April last, and the last about the 20th.

Q. Did she come alone or in company?

Hull. She brought them all herself.

Q. Whose did she say they were?

Hull. She said she brought them from a young lady where she chair'd.

Q. Did you ever see the other prisoner?

Hull. No, I never did to my knowledge.

Q. How much did you lend upon the whole?

Hull. I lent her about 40s.

John Hutchens. I live in Winslow-street; the prisoner brought a table cloth to me on the 12th of April, and told me she was chairing for a young lady that was not well, and she brought it for her mistress's use.

Q. Did she name her mistress's name?

Hutchens. She mention'd the name of mistress Brown in Berwick-street.

Q. Do you know Elizabeth Hall?

Hutchens. I never saw her till at Justice Welch's.

Q. What did you lend Grant upon the table cloth?

Hutchens. I lent her half a guinea.

Hall's Defence.

I ask'd my mistress when she was ill, if she would lend me a few things for my own use, and she lent me these things for 2 or 3 days.

Grant's Defence.

The young woman (meaning Hall) lent me the things; and I did intend to return them again as soon as I could.

For Hall.

Keisly Malichamp. Hall was servant to me about 9 years, I never saw her drunk, or do any ill thing; I have left her in my house many a time, and at my return I found all things right.

Q. How long is it ago since she lived with you?

K. Malichamp. She lived with me just before she went to live with the prosecutrix.

Q. Where do you live?

K. Malichamp. I live at Chelsea.

Keisly Carter. I am daughter to the last witness; I have known Hall upwards of 9 years, I never heard any thing ill of her till now.

Leab Waldow. I have known Hall 4 or 5 years, and have employed her as a chair-woman, and never know'd but that she was honest.

Margery Matthews. She lived with me a year.

Q. What is her general character?

M. Matthews. I never knew any thing of her but what was very honest.

Mary Kellet. I have known her 2 years and a half; she lived with me almost 12 Months, I

never.

never knew any thing ill of her ; she is an honest hard working woman, very well belov'd by her neighbours, one that is willing to serve any body.

Sarah Cook. I have known Hall a year and a half, I lodg'd where we lived a year. She is a very honest woman, I have known her to be trusted in many places where I work'd.

Elizabeth Steel. I have known Hall 12 Months, she is a very honest woman

For Grant.

Mary Cathrey. I know Elizabeth Burry.

Q. Who is she ?

M. Cathrey. That is Grant, she took care of me twice in my lying-in

Q. How long is the last time ago ?

M. Cathrey. The first was about 3 years ago, and the other about a quarter of a year ago.

Q. What is her general character ?

M. Cathrey. I always found her honest.

Q. to *prosecutrix.* Did you ever lend Hall any of those goods ?

Prosecutrix. When I was sick of the fever, if she ask'd me for leave to pawn them, I might give her leave, but I do not know that I did.

Both Acquitted.

185. (L.) *Ann Rowney*, spinster, was indicted for that she together with John Robertson, otherwise John Brown not taken, on the 7th of March, 1759, about the hour of 2 in the night on the same day, the dwelling-house of Sidney Thornhill, widow, did break and enter, and stealing one pair of stays, value 20s. 2 gowns, one calimanco petticoat, one shalloon petticoat, 2 white petticoats, 2 scarlet cloaks, one bed-gown, 4 linnen aprons, 2 linnen caps, 4 silk and cotton handkerchiefs, one linnen sheet, 2 silver tea spoons, one coat and one waistcoat, the property of the said Sidney, in her dwelling-house. †

Sidney Thornhill. I live in Somerset-street in the city ; my house was broke open about 2 in the morning, on the 6th of March was twelvemonths, and I was robb'd of the things mentioned in the indictment.

Q. Name them ?

S. Thornhill. There were 2 gowns, one damask lined with silk, 2 black petticoats, 4 aprons, one pair of stays, 2 caps, one coat, one waistcoat, one sheet, and 2 silver tea spoons.

Q. Why do you charge the prisoner ?

S. Thornhill. I had information given me by one Thompson on the 9th of this month ; she told me, she know'd the prisoner that broke my house open, and robb'd me ; and said it was one John Brown, who is not taken, and Ann Rowney, the prisoner at the bar ; I ask'd her how she came to know of it ; she said, she was not a yard and a half from my house when John Brown gave her a bundle that he had taken out of my house. So upon this information I had the prisoner secured.

Q. Did you take the prisoner before a magistrate ?

S. Thornhill. I took her before Justice Fielding, and heard her examined there twice ; there Ann Thompson mentioned every one of my things that I had lost, as well as I could myself.

Q. Did you hear the prisoner confess any thing ?

S. Thornhill. No ; she own'd to nothing.

Q. Have you found any of your things again ?

S. Thornhill. I have found one cap, which Ann Thompson took from off her own head, and deliver'd it to me ; and said, she had it of Ann Rowney. I never found any of the other things.

Ann Thompson. It was some time this month that I ask'd Mrs. Thornhill, if she was not robb'd. She had been crying, and saying she had lost some things ; so I told her of it.

Q. How long have you known of it ?

A. Thompson. I knew of it ever since it was first done.

Q. Why did you not speak of it sooner ?

A. Thompson. Because I was afraid of being murdered, there is such a terrible gang.

Q. What way of life are you in ?

A. Thompson. An unhappy way of life.

Court. Go on, and tell your story.

A. Thompson. This Brown that has been mentioned gave me the bundle in my room, and ask'd me if I would take care of it.

Q. When was this ?

A. Thompson. It is more than 12 months ago.

Q. How long was it after the robbery was committed ?

A. Thompson. It was about 5 or 6 minutes after.

Q. Was you present when the robbery was committed ?

A. Thompson. I was, and so was the prisoner at the bar, she took and opened the bundle, there were 2 caps in it, she took one, and gave it to me.

Q. Where was this ?

A. Thompson.

A. Thompson. This was in my room, after Brown had brought it up.

Q. What did you see of the robbery?

A. Thompson. I saw Brown come out of Mrs. Thornhill's kitchen window, and the prisoner come out afterwards.

Q. How near was you to the window then?

A. Thompson. I was not 4 yards from it.

Q. Did you see the prisoner go in?

A. Thompson. No, I did not; I can mention all the things in the bundle, which bundle I saw in Brown's hand.

Q. Mention them.

A. Thompson. There were 2 brown gowns, one a damask gown, lined with a silk Persian read, 2 black petticoats, 2 under petticoats, one dimity, and the other callico, 4 aprons, 3 of them coloured, one white, one pair of flays, 2 caps, one coat, and one waistcoat.

Q. to prosecutrix. Have you a husband?

Prosecutrix. No; I was a widow then, but the coat and waistcoat are my son's, which I bought for him; he was an apprentice, and I found him all his cloaths.

A. Thompson. There were 4 handkerchiefs also (the linnen cap produced) this cap the prisoner took from out of the bundle, and gave it to me.

Q. to prosecutrix. Look at this cap?

Prosecutrix. This cap is the property of Esther Miller, she was out of place, and lodg'd then at my house, and was lost at that time; I lost many more things than I have laid in the indictment.

Esther Miller. I lost 9 caps at that time, and as many handkerchiefs; this cap is one of mine which I lost then.

Cross Examination.

Q. When was you before Justice Fielding?

A. Thompson. On the 10th of this month.

Q. Did you give any account to the Justice that you saw either Brown or Rowney come out of the prosecutrix's window?

A. Thompson. No; I was so frustrated that I did not.

Q. What night was the robbery on?

A. Thompson. It was on a Thursday, I don't know what month; the goods were brought to my room that night.

Q. How came you to know of the house being broke open?

A. Thompson. I was coming over the waste ground, and he bid me take hold of the bundle;

and I took it as she was coming out at the window.

Q. How came you in your information to say, you heard the day after these things were brought to your apartment, that Mrs. Thornhill's house had been broke open and robb'd? (I have your information in my hand)

A. Thompson. I was frustrated, I did not know what I said.

Q. Whether you have had any conversation with any person concerning any reward that is to be had on the conviction of the prisoner?

A. Thompson. I never heard that there is a reward.

Q. Whether you have not had such conversation with the person that took the prisoner up?

A. Thompson. No.

Q. Have you ever had any quarrel or dispute with the prisoner?

A. Thompson. No.

Q. Do you know one Jane Edwards?

A. Thompson. I do.

Q. Did you never desire her to swear against the prisoner at the bar?

A. Thompson. No.

Q. Had you never a quarrel with the prisoner about cutting out a pocket?

A. Thompson. No; I never had any quarrel with her.

Q. What is the reason, that at this great distance of time, from the 6th of march was twelvemonths to the 9th of this instant, that you never went to acquaint Mrs. Thornhill with what you knew?

A. Thompson. I dare not, there is such a gang of them.

Q. How came you to do it now?

A. Thompson. Because she wanted to bring me into a robbery, and I would not do it; she wanted to bring me into a worse than this.

Q. Do you know who took her up?

A. Thompson. I cannot tell.

Q. Was you not present when she was taken up?

A. Thompson. No, I was not.

Q. Did you never consult any body, or acquaint any body with this affair, before you told Mrs. Thornhill of it?

A. Thompson. Yes, I told one Buckling, at the Queen's-head in Harrow alley, White Chappel.

Q. What did he say to it?

A. Thompson. He said, go and tell the truth to the poor woman that has lost her things.

Q. How long ago is that?

A. Thompson. I believe it is about a month ago.

Q. Did you go immediately?

A. Thom

A. Thompson. I did as soon as he advised me.

Q. When was that ?

A. Thompson. I can tell the exact time, because I have been in goal and can neither write nor read.

Q. How came you in goal ?

A. Thompson. I was committed by Mr. Fielding as an evidence in this affair.

Q. Did Buckling say to you there would be a reward ?

A. Thompson. No, he did not; he gave me the best advice he cou'd to go to the poor woman.

Q. How long after this that you told Mr. Buckling that you told Mrs. Thornhill ?

A. Thompson. I went directly and told her that very day.

Q. Are you acquainted with Richard Stevens ?

A. Thompson. No; I do not know such a person.

Richard Stevens. I am a Surveyor, I know nothing of the robbery, nor ever saw that creature (meaning the last evidence) in all the world to my knowledge: Mrs. Thornhill told me of the robbery, and show'd me the place where her house was broke; it was a flash that slides by another, they had broke the glafs to put a hand in, so as to unscrew it, that it might slide back.

Q. to prosecutrix. How was your house broke ?

Prosecutrix. The kitchen window a glafs was broke, as Mr. Stevens has mentioned, and the cross bar was taken quite away, and room for any body to get in.

Stevens. I lived next door but one to Mrs. Thornhill for 17 years; I was going that way some time after, and she was crying and telling me how she had been robb'd; she show'd me also how her trunks were broke open, by cutting the leather which was over the haps, and wrenching the haps off. I know that neighbourhood to be a notorious bad place; I was robb'd there once just by my own door, and afterwards some of them threatned to shoot me*; and I was forc'd to remove out of the neighbourhood.

Prisoner's Defence.

Brown and I had a good many words, he call'd me a good many names, and I did not chuse to live with him; this Ann Thompson laid hold on some of my words, and she had me before my Lord Mayor. I have been by Mrs. Thornhill's

* See the trials of John Benson and Ann Parrot, No. 315, 316, in *Mr. Alderman Janßen's Mayoralty*.

house many a time since; she has said, if I wou'd give her a note for 10l. or 5l. she would make it up with me; she cry'd, and said the same at justice Fielding's.

Q. to prosecutrix. Did you ever make such a propofal ?

Prosecutrix. No, never in my life-time.

Prisoner. They said, they wou'd carry me to justice Fielding. I begg'd they wou'd not carry me there, for he is a very dangerous man.

Counsel for Prisoner. Do you remember the prisoner being taken up soon after your house was broke open, and carry'd before Sir Richard Glyn.

Prosecutrix. Yes, I do; that was on the 9th of July: she was taken in custody by the constable for a riot, and swearing in a blasting manner; that was in Harrow Alley; she turn'd her petticoat back, and said to Brown, blast you, you rogue, I'll have you scragg'd, for you robb'd the poor old woman over the ground (there is a piece of waste ground between there and my house) for you broke open her house, pulling out a chisel and hammer from out of her pocket, saying, my house was broke open with them; I hearing she had said this several times, but she was not committed for breaking and robbing my house, my Lord Mayor committed her there for her rioting and wicked talk.

Q. Was she not committed for this offence ?

Prosecutrix. Not then she was not.

For the prisoner.

Jane Edwards. I know Ann Thompson, one day we had a few words.

Q. Where do you live ?

J. Edwards. I live just by White Chapel, in Petticoat lane, my husband is a seafaring man, and allows me a trifle a week to live upon; he belongs to the Royal George.

Q. What conversation had you with Thompson ?

J. Edwards. I was going through Aldgate for some snuff. *Nancy Rowney* was going by, Thompson said, *Bitch*.

Q. When was this ?

J. Edwards. This was about 3 or 4 days after she made herself an evidence. *Nancy Rowney* said *Hussy*; they had had a quarrel in the day; Thompson went and cut her own cloaths with a knife, to lay it to *Nancy Rowney*. She said, if I would not go and smack it along with her before my Lord Mayor, she would take my life away, and

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stick me; I never was well since that minute to this, nor have had a halfpennyworth of bread in my mouth since; I have a lame arm by a fall on a bottle, and she said she would make my other arm as bad, and she would murder and kill me, if I would not; she went and got a warrant, and so went to swear a street robbery before my Lord Mayor.

Q. Did she say any thing of a reward?

J. Edwards. She said, do not you know, that if you come along with me, and swear right or wrong, you shall have a reward, but said she would not swear by herself; she went and pumped the prosecutrix out of every word she said.

Q. Who did she want you to smack it against?

J. Edwards. Against Nancy Royney.

Elizabeth Lovell. The night that the prisoner was taken up, which was last Monday was a week, she was coming down the Minorities, the prosecutrix's son and daughter were holding the prisoner, one by one arm, the other by the other, while the city marshal conducted her to the watchhouse. I went and followed them to the Compter; going along, as the son and daughter were following her at a distance, they wrangled about the reward.

Q. What did they say?

E. Lovell. One said I shall have 40l. No, the other said, I shall have it. I follow'd them to the Compter, and went in, and came out with them.

Q. Was Ann Thompson there?

E. Lovell. No, she was not; Thompson used me monstrous ill; she said, you impudent whoring slut, you drink with Ann Rowney, but I'll be up with you. I served a warrant upon her; after that, she went and made herself an evidence after she was my prisoner; (my husband is a custom-house officer) she said, for spite she would be up with me; I have eat and drank with Ann Rowney, and never saw no harm by her.

Q. How does she get her living?

E. Lovell. A Butcher in White Chapel indulges her with what he gets, he gets his bread very hard.

Q. Did you ever hear Thompson say any thing about the reward?

E. Lovell. No.

Mr. Buckling. Thompson was drinking in my house, I heard her say she would have Rowney taken up, and mention'd this affair. I said, what she know'd of it, it was a pity she did not acquaint the old woman with it.

Q. How long is this ago?

Buckling. It is about a fortnight ago.

Q. Did she mention any thing about the reward?

Buckling. No, not as I heard of.

Mr. Miller. I live within a few doors of Mrs. Thornhill.

Q. Do you know the evidence Thompson?

Miller. I do.

Q. What is her character?

Miller. She has but a very indifferent character, she is a disorderly girl.

Q. Do you believe she is to be credited upon her oath?

Miller. I think she is not.

Q. Have you ever had any dealings with her?

Miller. I have dealt with both the prisoner and she.

Q. What are you?

Miller. I am a pawnbroker.

Q. Where do you live?

Miller. I live in Mansell-street, Goodman's Fields, next door to the Fleece.

Q. What character has the prisoner?

Miller. She lives with a young man a butcher; she has been a customer to me 6 or 7 years; I never heard of any robberies by her before this, I have heard of some little trifling things.

Q. Upon your oath, did the prisoner ever pledge any of these goods mention'd in the indictment with you?

Miller. No; neither she, nor any body else that she sent.

Q. Was there a warrant granted upon Thompson's information to search your house for these goods?

Miller. Yes; and the constable examin'd my book.

Esther Hatchet. I have known the prisoner between 5 and 6 years.

Q. What is her way of life?

E. Hatchet. She us'd to take in a little plain work, and a young man a butcher is her husband I dare say. I never knew any thing dishonest of her in the days of my breath.

Acquitted.

186. (M.) Ann Brooks, spinster, was indicted for stealing one flower'd cotton gown, value 15s. and one silk handkerchief, value 1s. the property of Thomas Holmes, April 26. †

Thomas Holmes. Ann Brooks was my servant; I lost the things mentioned in the indictment; the hand-

handkerchief was found upon her, and the gown was found at Mr. Redbeard's a pawnbrokers; she had the handkerchief on her shoulders before my Lord Mayor.

John Jusat. I am servant to Mr. Redbeard, a pawnbroker, this gown was pledg'd with my mistress.

Q. Is she here (*produced in court, and deposed too*)

Jusat. No.

Prisoner's Defence.

The things were lent to me, and I happen'd to get a drop in my head, and so I pawn'd the gown. Guilty, 10d.

187. (M.) *Eleanor Crouch*, widow, was indicted for stealing 2 stuff gowns, value 20s. 2 linnen gowns, value 10s. and one silk cardinal, value 9s. the property of Sarah Ingham, spinster, May 14. †

Sarah Ingham. I lost 2 gowns and a cardinal as mentioned in the indictment, on the 14th of this instant May.

Q. Was the prisoner your servant?

S. Ingham. I never saw her before she was taken to my knowledge.

Q. Where were the things taken from?

S. Ingham. They were taken from a 2 pair of stairs fore-room.

Q. Where do you live?

S. Ingham. I live in Germain-street.

Q. What are you?

S. Ingham. I am servant to a butcher there.

Q. Why do you suspect the prisoner?

S. Ingham. She was taken in the street, after having been stealing in another house, and she had one of my gowns and my cardinal on her back, at the time she was taken before justice Fielding, and I went there, and told his worship I had lost 3 more gowns; he ask'd her where we lodged. She told him, he sent a constable, and I went with him to search, and there I found my other 3 gowns in a drawer, (*produced in court, and deposed too*) she takes up a silk and stuff gown, this she had on her back when taken and this cardinal, *producing it.*

Q. Can you tell how they were taken away?

S. Ingham. I cannot tell that.

The prisoner had nothing to say in her defence.

Guilty.

There were 2 other indictments against her for crimes of the same nature.

188. (M.) *Edward Chipeway*, otherwise *Shipway*, was indicted for stealing 3 cloth coats, value, 5l. 2 cloth waistcoats, value. 20s. 2 fustian Frocks, 3 stuff waistcoats, the property of the right honourable Charles earl of Egremont; one cloth coat, one fustian frock, one fustian waistcoat, one flannel waistcoat, one pair of leather breeches, 2 pair of worsted stockings, one linnen shirt, and one linnen towel, the property of Daniel Waters; 2 fustian frocks, one flannel waistcoat, one pair of breeches, and 2 linnen shirts, the property of James White, one linnen shirt, and one pair of worsted stocking, the property of Joseph Briant; 2 hempen horse cloths, the property of John stubbs, May 19. †

Daniel Waters. I am Coachman to my lord Egremont, the things mentioned in the indictment were lost out of the stable in Mafon's yard, Duke street; I know nothing of the prisoner, the watchman took him in custody (he mentions each article and to whom they belong'd) the prisoner was examined before justice Cox, and the goods were produced there; the prisoner denied knowing any thing of the robbery?

Q. When did you miss them?

Waters. I went out between 5 and 6 o'clock on Sunday night, and did not come home till 12, the things were in the stable at 12 at night, and the door lock'd.

Q. What is the prisoner?

Waters. He drove a Jobb in the next yard, but I did not know any thing of him before he was in custody.

Cross Examination.

Q. Do you remember justice Cox asking the watchman whether he could be sure as to the prisoner, or whether he was doubtful?

Waters. Yes; at first he said to the best of his knowledge; the justice said the best of his knowledge would not do; then he said, he was the man, and no other.

James White. I lost 2 fustian frocks, 2 shirts, a pair of breeches, and a flannel waistcoat, some of the goods mentioned to be my lord's were my live-ry, and some my fellow servants; I knew not who took them, any more than what the watchman told us.

Joseph Briant. I lost a coat and waistcoat, they were my lord's property; I lost only a pair of worsted

worsted stockings and a shirt of my own ; I know nothing who took them.

George Kelley. I am a watchman ; I am sure to the prisoner, I met the prisoner with these things mentioned in a bundle on his back.

Q. At what time ?

Kelley. I believe it was a quarter of an hour before 2 o'clock on the 19th of this instant. As I was sitting in my watch-box, I heard an uncommon noise of thrusting through a passage, it was my business to examine what it was ; I went out, he saw me with my lanthorn, he makes a double, and went down the street with the bundle on his back, opposite to my lord Hyde's door, duke-street ; I had the advantage with my lanthorn, and 2 lights that were there, which gave me a full sight of him ; I saw him plain, and described him plain to the men after the prisoner got away ; for he throw'd down the bundle, and run away, and I went and took him in his master's yard, and deliver'd up the bundle in Mr. Stubbs's yard ; we carried him into the taphouse.

Q. What time did you take him ?

Kelley. I took him between 5 and 6 the same morning ; his master's yard joins to where the robbery was committed.

Q. Was you before justice Cox when the prisoner was there ?

Kelley. I was.

Q. Was you positive of the prisoner being the man on whom you found the bundle ?

Kelley. I was certain.

Cross Examination.

Q. Did not you say at first you could not be certain, or that you would not be positive ?

Kelley. Sir, my knowledge is I am confirm'd.

Q. Whether you did not declare you could not be certain at first, but only said to the best of your knowledge ; and did not the justice say, that would not be sufficient ?

Kelley. He did say so, but I am positive there is the man (*pointing to the prisoner*) I am positive.

William Penrice. I am constable ; about 7 in the morning the watchman came and told me he had catch'd a thief that had robb'd my lord Egremont's stable ; he said, don't think I am come to deceive you. I was then in my bed ; he said, the man that I have taken is a middle-size thinish man, with a scraggling short sort of hair, with a cast in his eyes, a blew coat, fustian breeches, and black

stockings ; I got up and dress'd myself ; he brought me to the top of Mafon's yard ; when we came into the tap-room, in that yard I saw the prisoner among other men.

Q. What place is this Mafon's yard ?

Penrice. It is a livery stable, and belongs to Mr. Stubb's ; by the description the watchman gave me I know'd him amongst the rest ; the watchman was behind me when I laid hold of him (*the goods produced in court, and deposed too*)

Prisoner's Defence.

I was in bed at the same time, I went to bed that night between 8 and 9 o'clock, and have witness here to prove it.

For the prisoner.

The witnesses were examined apart.

Henry Cottis. I have been acquainted with the prisoner about 3 months, I have lodg'd with him lately at the house of Joseph Hall, at Prince Frederick's head in Piccadilly.

Q. How far is Mafon's yard from the place where you lodged ?

Cottis. It is about as far as from this court to the bottom of the Old Bailey.

Q. What are you ?

Cottis. I was porter to Mr. Pitt.

Q. Do you live with him now ?

Cottis. I do not.

Q. Where did you lie on Sunday night the 19th instant.

Cottis. I lay at Mr. Joseph Hall's with the prisoner at the bar in the same bed.

Q. to Kelley. What time did you see the prisoner with the goods on his back ?

Kelley. It was on that Sunday night, or more properly the Monday morning, at about 2 o'clock.

Q. to Cottis. What time did you go to bed that Sunday night ?

Cottis. I went to bed about 11 o'clock, the clock struck eleven just before I got up stairs, or just as I got up ; my landlady told me, my bed-fellow was in bed, and had been by 9 o'clock, and he'd scold me for being out so late at night ; I had been at Mr. Secretary Pitt's house, waiting for his steward till about a quarter before 11.

Q. Who was your bed-fellow ?

Cottis. That was, the prisoner at the bar.

Q. Did you find him in bed ?

Cottis.

Cottis. I did, and fast asleep; I awaked him, he spoke to me, and said come to bed: I went to bed; I am in but a middling state of health, and do not sleep so sound as many do.

Q. What time did you get up in the morning?

Cottis. I got up before 6, he lay in the bed with me till half an hour after 5; I spoke to him when I got out of bed, and desir'd him to look out at the window, I hearing people talking; then he got out of bed, and look'd out at the window; then his master call'd him.

Kelly. I brought him a prisoner out of his master's stable, about half an hour before 5 o'clock.

Samuel Whitehouse. I saw the prisoner at the bar go to bed about 9 o'clock that night; I went to bed at 11 when Mr. Cottis did, in that very room which the prisoner lay in; I saw him in bed when I went to bed, and I got up about three the next morning to make water, St. James's church clock 3, then I saw him in bed, and Mr. Cottis along with him.

Q. Did you lie in the same bed with them?

Whitehouse. No; I saw the prisoner likewise get up about 5, or betwixt 5 and 6 that morning, I mean the 19th of this instant.

Q. Where was you when he got up?

Whitehouse. I was in my bed in the same room, and saw him putting his cloaths on as I lay.

Joseph Hall. The prisoner at the bar lodg'd at my house, I have known him twenty years.

Q. How long has he lodg'd at your house?

Hall. He has lodg'd at my house from last Christmas; I know very well that he went up stairs to bed before the clock struck 9, on the 18th of this instant May, being a Sunday; I call'd him up the next morning, I understood afterwards he was got out of bed.

Q. How is your house secur'd on nights?

Hall. If any body goes out of my house, they can't get in without somebody within let them in; when you go out the door follows you, and shuts and locks.

Q. Did you hear any going out that night?

Hall. No, I did not.

Q. Have you any reason to suspect the prisoner was out of your house that night?

Hall. No; I have not the least in the world; sometimes he drives a jobb, and comes home late, and I get out of my bed to let him in, if after 11 o'clock, at that time I always shut up.

Q. What character does the prisoner bare?

Hall. No body bears a better character; he knows where I put my money as well as I do my-

self, if he had been minded to take from me, I might have lost a great deal.

Q. to Cottis. What is the prisoner's general character?

Cottis. He bares a good character.

Q. to Whitehouse. What character does the prisoner bare?

Whitehouse. A very good one, he is an honest industrious man.

Mr. Howel. I have known the prisoner about 2 years.

Q. What is his general character?

How. He is a very sober, careful, industrious man, and a very honest man as far as ever I heard.

Q. Where do you live?

Howel. I live in Rider's-street, St. James's. Acquitted.

189. (L.) *Samuel Wilson*, merchant, was indicted, for that he having in his custody a certain forged bond, with the name John Lawson thereunto subscribed, purporting to be from himself and John Lawson to Thomas Fogg, dated Nov. 29, 1758, in the penalty of 1200l. for the payment of 600l. and for publishing the same, well knowing it to have been falsely forged and counterfeited, with intention to defraud Thomas Fogg. It was laid over again to be done with intention to defraud Thomas Higgs. It was laid also to be done with intention to defraud John Lawson. †

Thomas Fogg, I live in Lad-lane.

Q. How long have you known Thomas Higgs?

Fogg. I have known him between 5 and 6 years, I had of him some securities deposited with me.

Q. Where had he them?

Fogg. I do not know that, the prisoner was an indorser, but I do not know which way Mr. Higgs had them.

Q. Was the prisoner the last indorser?

Fogg. I do not know whether he was or not, there were 3 bills, they were for 453 l. 1s. 2 of them were upon Mr. Tittley, and I think one upon Mr. Lawson.

Q. What did you do with them?

Fogg. I sign'd them over to the prisoner at the bar.

Q. Who were the drawers of these bills?

Fogg. Upon my oath I do not know who the drawer of any was.

Q. Had you any application made you by the prisoner at the bar, concerning any sum of money?

Z. z

Fogg.

Fogg. On the 28th of November, 1758, the prisoner call'd upon me, and made application to take these bills out of my hands, me giving him some more money, and signing him over a policy of assurance on a Ship call'd the Snow Venus; he wanted more money than I was willing to give, I believe he wanted 200*l.* more than what I did agree for at last; the last agreement was this, we met on the 29th in the morning, and I agreed with him to give him 104*l.* 1*9s.* in cash, and I to stop 42*l.* to make a reinsurance for 2 of the bills that were stopp'd payment, Mr. Tittley's was one, so I stopp'd 42*l.* out of the 600*l.* in order to get the policy fill'd up, that makes the 600*l.*

Q. Whose money was this that you was so to negotiate?

Fogg. It was for Mr. Higgs; I gave Mr. Higgs a memorandum for 600*l.* for an accountable acknowledgment.

Q. In what manner was this 600*l.* to be secured?

Fogg. By a policy of Insurance, and a joint bond between him and Mr. Lawson for 600*l.*

Q. Whether you would have advanced this money on the account of Mr. Higgs, unless you had the joint bond of Willson and Lawson?

Fogg. No.

Q. What day was this agreement made?

Fogg. On the 29th of November, 1758, about 9 in the morning, as near as possible.

Q. Did you go with the prisoner to any notary or scrivener?

Fogg. Yes, to Mr. Hewit, in Birchin-lane, a notary public.

Q. Were those things shown to him?

Fogg. They were, Mr. Hewit prepared the bond.

Q. Did the prisoner go to Mr. Hewit?

Fogg. He did.

Q. What were the directions given to fill up the bond?

Fogg. It was to fill up the joint bond by Willson and Lawson to me for 600*l.*

Q. Who gave directions for that?

Fogg. We were both together, the prisoner and I; whether he or I ordered it I cannot tell, but I dare say we were both there at that time.

Q. Did you see the bond prepared?

Fogg. I did, Mr. Willson took it out and said, he could see Mr. Lawson, but we could not so conveniently see him, or to that purpose; he went away with it, and in about 3 quarters of an

hour return'd (it could not be an hour) he brought it with the name Lawson sign'd to it.

Counsel. Then you did not go with him to see it sign'd by Lawson?

Fogg. No, I did not.

Q. Look upon this bond. (*He takes it in his hand*)

Fogg. This is it; I think he brought it back sign'd with both names.

Q. Was Betham in the room at Mr. Hewit's when the bond was drawn?

Fogg. No, I never saw him at that time.

Q. Did the prisoner return with this bond in the form it now appears, that is, executed and witnessed?

Fogg. He did, to Mr. Hewit's office, it was witnessed by John Betham.

Q. Who did he deliver it to?

Fogg. He deliver'd it to me.

Q. Whose hand writing is on the back of it?

Fogg. I do not know.

Q. Who was present when he delivered it to you?

Fogg. Mr. Higgs was.

Q. What did you do upon this?

Fogg. Upon this I gave up the bills of exchange.

Q. Has the money ever been paid upon this bond?

Fogg. I have received the money, but not of the prisoner at the bar.

Q. Who did you receive the money of?

Fogg. Of Mr. Staples and Mr. Winterbottom, assignees to Lawson's estate.

Q. Should you have advanced this sum of 104*l.* 1*9s.* without the security of this bond?

Fogg. No, I should not.

Cross Examination.

Q. Who were those bills deposited with you by?

Fogg. They were deposited with me by Mr. Higgs.

Q. Had you any property in the bills?

Fogg. No.

Q. On what occasions were they deposited with you?

Fogg. He desired me to do it for him, to apply to Mr. Willson to get what security upon them I could, as they were a little dubious; Mr. Willson had apply'd to me before Mr. Higgs did.

Q. Are you sure they were indorsed by the prisoner at the bar ?

Fogg. I am sure they were.

Q. What interest had Mr. Lawson in those bills; by what you say it appears he was acceptor of one of them, but which I cannot tell.

Fogg. I think I saw his name on the back of one or both of the other, but I am not sure.

Q. Tell the jury how Mr. Lawson was concerned in the fate of the 3 bills.

Fogg. Any bills that come in the course of business I copy, but those I never did copy, those were put into my hand by Mr. Higgs on the 28th, but I never thought them worth putting into my book, it being so soon done.

Q. Are you certain that the name of Lawson was upon any of the bills ?

Fogg. I really think it was connected with 2 of them.

Q. Was there any application made to you on the 28th by the prisoner ?

Fogg. I think there was that same day.

Q. Be particular as to that.

Fogg. He came and offered me the policy of insurance, and the things belonging to the ship, for the consideration of more money than what we did agree to at last.

Q. Whether Mr. Willson did not apply to you, and tell you, that the persons that were liable to pay these bills could not pay them, and the effort made some farther application to you ?

Fogg. He offered me the policy of assurance, and wanted more money.

Q. Whether he did not tell you he was afraid the bills would not be duly honoured ?

Fogg. I believe he might, he made me some proposal.

Q. What was that proposal ?

Fogg. It was to have about 300l. in cash, and to have those bills taken out of my hands.

Q. We are now upon the 28th of November I have nothing to say on the 29th now; what proposal from Mr. Willson on the 28th ?

Fogg. We agreed, our first meeting was on the 27th at night, or the 28th at the Baptist head tavern, Milk-street.

Q. Was he and you alone at the first meeting ?

Fogg. At the first meeting I think there were some people along with him.

Q. What was the first proposal to you the first time you met ?

Fogg. I can't recollect the first proposal.

Q. Did he mention any thing to you of a ship, the policy of Insurance ?

Fogg. I believe he did, the policy of Insurance, a bill of sale, and charter party.

Q. Who was present at the first proposal ?

Fogg. To the best of my knowledge there were 3 or 4, but not when we talk'd about business, for I look upon it that they were in another box.

Q. Was Mr. Lawson there ?

Fogg. There was a gentleman, that some gentlemen call'd Mr. Lawson.

Q. What was the sum mentioned ?

Fogg. I cannot say the sum.

Q. Was it for a thousand pounds ?

Fogg. I don't think it was more than that.

Q. Was it more than 600l.

Fogg. I know it was more by several hundreds than what I agreed for.

Q. What was the security ?

Fogg. It was upon the assignment of the policy.

Q. Had you any conversation with Mr. Higgs before the 28th.

Fogg. I think I had.

Q. Was he the principle party ?

Fogg. He was.

Q. Suppose this matter had been transacted on that night, should you, or should you not, have been satisfied with the policy ?

Fogg. I should have been satisfied with it, but we had not agreed upon this bond, till we went to Mr. Hewit's office; Mr. Higgs and I met again the next day.

Q. Did you ever see Mr. Lawson besides that time you mention ?

Fogg. No, not as I know of.

Q. Can you tell the value of this ship ?

Fogg. Indeed I cannot.

Q. What was she insured for ?

Fogg. She was insured for 13 hundred pounds.

Q. Did you see Mr. Willson on the 28th ?

Fogg. I dare say I did.

Q. Where ?

Fogg. I do not recollect where I saw him in the morning, it was before we went to Mr. Hewit's office, we were at a coffee house in Swithin's alley.

Q. Suppose the matter had been transacted the next morning, should you have had any difficulty about it ?

Fogg. I don't know that I should.

Q. You say a person that met on this occasion was name Lawson, and you don't know Mr. Lawson.

Fogg.

Fogg. No; I did not know whether he was a good or a bad man.

Q. Did you look upon him to be concerned in that ship?

Fogg. I did, but I am a very little judge in the case.

Q. Did you know that Mr. Lawfon made an assignment to Mr. Willson of this ship?

Fogg. I did.

Q. What became of that assignment?

Fogg. That was an assignment by Willson to me.

Q. At that time did you rely upon a bond given to you by a stranger?

Fogg. I did not much rely upon it.

Q. Whether before you went to Mr. Hewit's you in your mind formed any security, by a stranger giving a bond to you?

Fogg. Not at all.

Q. What first induc'd you to take this bond?

Fogg. It was by Hewit's advice; he said, he thought the assignment was not sufficient without the rest, and at the same time he advised me to take a joint bond of the men, by way of collateral security; this was on the 29th.

Q. Do you remember any thing mentioned by Mr. Hewit, that there was a receipt in the body of it?

Fogg. He told me he believed it was not safe without it; he said, without the receipt on the outside it was not good.

Q. Do you know any thing of Mr. Lawfon's having been absent upon the 28th?

Fogg. No.

Q. Did you enquire what Mr. Lawfon was?

Fogg. No, I did not; I gave myself little trouble, but kept the securities I had in my hand.

Q. Had you any reason to think Mr. Willson came to you upon any unfair principle?

Fogg. No.

Q. Upon whom did you pin your faith?

Fogg. Mr. Hewit advised me, and told me it would be much best to have the two; then I would not do it without.

Q. Suppose this fact had happened, that no bond had been entered into at all, should you, or should you not, have thought this was a good security for 600l.

Fogg. I might have thought it good.

Q. Should you at that time, if the bond had never been mentioned?

Fogg. I should.

Q. He is indicted for a forgery with intent to defraud; do you think, considering the nature of the security put into your hands, he did it with intent to defraud you?

Fogg. I would be as tender as possible; I have had various opinions upon that.

Counsel. Then there I'll leave it.

Counsel for Crown. Then on the 27th of November at the Babbist head, it was agreed upon to advance a larger sum?

Fogg. Yes.

Q. Did you intend to transact this on your own judgment, or to take the assistance of Mr. Hewit?

Fogg. I should not have transacted it on my own opinion.

Q. If Willson had not produced the bond, should you have advanced 104l. 19s.

Fogg. No.

Q. Whether you apprehended Mr. Willson intended to deceive you in the nature of your security?

Fogg. Then I thought it to be good.

Q. Now what is your opinion, would you have advanced the money if you had known the name John Lawfon was a forged name?

Fogg. No, Sir.

Counsel. Then without the additional credit of John Lawfon you should not have advanced the money.

Fogg. No.

Counsel for Prisoner. Why did you go to Mr. Hewit?

Fogg. He was my acquaintance.

Q. Did you not recommend it at Hamlin's coffee house to go to some notary, but mentioned none in particular?

Fogg. I think I mentioned Mr. Hewit.

Q. Look at this name (*meaning the name of the witness*) do you think it to have been done with any disguise?

Fogg. This is the name of Betham.

Q. What became of the ship?

Fogg. The ship was taken by the French, and ranfomed.

Note, The Remainder of these Proceedings will be published in a few Days.

THE
P R O C E E D I N G S

ON THE

King's Commissioners of the Peace, Oyer, and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 21st, *Thursday* the 22^d, and *Friday* the 23^d, of MAY,

In the Thirty-third Year of His MAJESTY's Reign.

NUMBER VI. PART II. for the YEAR 1760.

Being the Fifth SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir Thomas CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

L O N D O N :

Printed, and sold by G. KEARSLEY (Successor to the late Mr. *Robinson*)
at the *Golden-Lion*, in *Ludgate-Street*, 1760.

[Price Four-pence.]

THE P R O C E E D I N G S

O N T H E

King's Commissions of the Peace, and Oyer and Terminer, for the City of LONDON, and at the General Sessions of Gaol Delivery for *Newgate*, holden for the City of LONDON, and County of MIDDLESEX, at *Justice-Hall* in the *Old-Bailey*, &c.

THOMAS HIGGS. I was acquainted with the prisoner Willson; he was indebted to me; I had 3 bills that I had discounted, they amounted to 453l. 1s. 2 of them were on Benjamin Tittley, drawn by John Tittley, junior, payable to him, I believe Willson had indorsed them all 3; they were drawn upon Lawson; I kept them in my possession till very near due, I believe one of them was due, and Willson applied to me with a policy and charter party of the snow *Venus*. He said, you have got some bills in your possession, and if you can muster up 800 or a thousand pounds, I'll take them bills out of your hands; he did mention Tittley's being bad at that time, I believe, he left it with me to shew to my friend; I was very intimate with Mr. Samuel Touchet, and I apply'd to him, he was not in the way; he look'd at the under-writers, he did not know many of them; and afterwards I apply'd to some more friends; then I had heard more of Mr. Willson than before; I thought it would be a little troublesome, so I thought to put it out of my hands, and Mr. Fogg being an acquaintance I told him the case, that I had such bills in my hands, which I was afraid would be attended with some trouble, so I made free with him, as he had more time upon his hands than I had, and put them into his hands to get it done as cheap as he could, not to give him so much as he wanted, 800 or 1000l. and take the bills out of my hands; we said, we thought 4 or 500 was enough, and at last we agreed for 600 l.

Q. When was that agreement?

Higgs. I believe the thing was brought to me 2 or 3 days before christmas.

Q. Who was present?

Higgs. Mr. Fogg, and I believe Mr. Betham

were; the security proposed to us were those things; we apply'd to Mr. Hewit about it, and he looking over the papers, he had made some of the writings to that ship, and he put it in our heads to have a bond betwixt Lawson and him, besides the policy, with all the writings belonging to the ship; I had made over the bills to Mr. Fogg, and had Mr. Fogg's memorandum for them; I gave him 2 draughts, 1 for 76l. the other made it amount to 140l. 19s. then I deliver'd up the 3 bills; Mr. Willson, Mr. Fogg and I were in Mr. Hewit's office on the 29th of November, 1758, at the time Mr. Hewit was filling of it up.

Q. What time was that?

Higgs. It was I believe about 9 or 10 o'clock.

Q. What was done with that bond?

Higgs. Mr. Willson took it out of Mr. Hewit's office, and said he would get it sign'd by Lawson; he brought it back in about 3 quarters of an hour, sign'd by Lawson, and witnessed by Betham; when he brought it back he said, he had got it done, and there was 104l. 19s. paid in my presence.

Q. Did you part with your money upon that security?

Higgs. I did

Cross Examination.

Q. Did you first apply to Mr. Willson?

Higgs. No, Sir, Mr. Willson first apply'd to me, I gave him an account, the 2 notes upon Tittley were doubtful notes, one was due before the other; then we heard Tittley was stopp'd.

Q. Did not Mr. Willson tell you 2 notes of the 3 were doubtful?

Higgs. I believe he might say the 2 on Tittley were.

Q. Whose was the other note?

Higgs

Higgs. One was draw upon Lawfon, and accepted by Lawfon.

Q. Was Lawfon's name on either of Tittley's notes?

Higgs. I really cannot recollect that it was?

Q. Did he come and take them up for himself, or for Lawfon?

Higgs. For himself; I never saw Lawfon, nor spoke to him,

Q. Were either of them indorced by Lawfon?

Higgs. I cannot say that any of them were?

Q. Should not you have look'd upon this ship as a sufficient security for your money?

Higgs. He said, go and ask any body about it; I went to a neighbour, and he told me he would not give 50l. for it; after that I went to Mr. Touchit; the under-writers said they thought it was good.

Q. How long had you the papers in your custody to make inquiry about them?

Higgs. I believe about 3 days.

Q. Who was the first person that mentioned the bond?

Higgs. Mr. Hewit was; Mr. Fogg was recommended to Mr. Hewit by one Mr. Steward, in Paternoster-row; Mr. Willson went with us to Mr. Hewit's house.

Q. Was not Betham with you before that?

Higgs. He was with us once or twice before.

Q. What was he?

Higgs. I am told he was Mr. Lawfon's clerk; I met Betham and Willson at the warehouse in Lad-lane.

Q. Whether it was not Willson's own proposal, that 42l. to make good the assurance of the policy?

Higgs. I believe Mr. Hewit mentioned it, to have it kept in Mr. Fogg's hands.

Q. Whether if Mr. Hewit had not started that of the bond, you should not have thought the assignment a sufficient security?

Higgs. As Mr. Tittley's notes were deemed dubious, we were willing to make it as safe as we could.

Q. If Mr. Lawfon had been there, whether you would have taken his bond as any security at all?

Higgs. I believe I should, because he was then deemed a good man; I had inquired after him, and found he lived in good reputation; I believe we should have taken his bond, but I should have made a little more inquiry.

Q. How long had you known Mr. Willson before this?

Higgs. I had known him about 6 or 9 months before.

Q. Whether you think Mr. Willson had any intention to defraud you when he brought you his assignment first?

Higgs. I really can't take upon me to say.

Q. Now upon your oath, whether, when he brought you his assignment you had any notion he had an intention to defraud you, or whether you do now think he had such intention?

Higgs. Now I do, but I did not then.

Q. I ask you, whether you think he had any intention to defraud you before the bond was started?

Higgs. No, I do not think he intended to defraud me then.

David Hewit. I am a notary public, and live in Birchin-lane.

Q. How long have you known the prisoner?

Hewit. I have known him 5 or 6 years,

Q. Do you know Lawfon?

Hewit. I have known him several years, I have known them both in good credit.

Q. Look upon this bond, whose writing is the body of it (*he takes it in his hand*)

Hewit. I fill'd it up.

Q. When?

Hewit. On the 29th of November 1758, in the morning,

Q. Where?

Hewit. In my own office.

Q. Who was present?

Hewit. Mr. Willson the prisoner, Mr. Higgs, and Mr. Fogg.

Q. By whose order did you fill it up?

Hewit. I mentioned it as a necessary security, and that the money could not be lent without that as a collateral security.

Q. Was Lawfon there?

Hewit. No, he was not.

Q. How lately had you seen Lawfon before the 28th of November.

Hewit. I believe I saw him about a fortnight before.

Q. Did you take him to be a man of good credit at the time of your filling up this bond?

Hewit. I did.

Q. Was Lawfon join'd with Willson to make the bond go down the better?

Hewit. Yes.

Q.

Q. What became of the bond after you had filled it up on the 29th.

Hewit. Willson took it away; he said, he would take it to Mr. Lawson and get it sign'd by him.

Q. Did any body offer to go with Willson, or were there any talk about who was to be the subscribing witness.

Hewit. No; he went alone, and returned in about 3 quarters of an hour or less, and brought it back with him.

Q. Did he bring it back in the condition in which it now appears?

Hewit. Yes, he did; it appear'd to have been executed by Lawson and Willson, attested by Betham.

Q. Do you know Lawson's hand writing?

Hewit. I do not know it so well as to swear to it, I took it to be his hand writing at that time, but I cannot say whose hand writing it is.

Q. Do you know when Lawson went out of Town?

Hewit. No.

Cross Examination.

Q. Had you heard any thing of Mr. Lawson within a day or 2 before this bond was proposed?

Hewit. No, I had not.

Q. Have you seen any notes of his?

Hewit. I have drawn charter parties for him.

Q. Does he write such a hand as this?

Hewit. I can't swear particular.

Q. Do you know any thing of this Betham?

Hewit. He was Mr. Lawson's clerk; I have seen him several times at his house.

Q. Suppose you had caried a bill to Mr. Lawson's for acceptance, if Mr. Betham had accepted it, should you have had any objection to that?

Hewit. No.

Q. Have not you understood that Mr. Betham had that general power of signing for Lawson's name?

Hewit. I know nothing of that; but I never heard that it was a custom in the city of London, for a merchant's clerk to sign a bond for his master, no, never.

John Betham. In the year 1758, I was clerk to Mr. Lawson.

Q. How long had you been clerk to him before he was a bankrupt?

Betham. About 15 months.

Q. When was the commission taken out against him?

Betham. It was taken out about the 11th or 12th of December, 1758.

Q. Do you know Mr. Willson?

Betham. I do very well.

Q. How long have you been acquainted with him?

Betham. About 3 quarters of a year before Mr. Lawson was a bankrupt.

Q. Look at this Bond; do you remember at any time any transaction of setting a name to it, and how it happen'd?

Betham. Mr. Lawson having frequent occasion to raise money upon bills, he had a greater demand than he could raise himself, he apply'd to the prisoner to get him a great many bills discounted, which he did to a considerable value; the holders of bills and drawers both becoming insolvent, they apply'd to Mr. Willson to make good those bills, as being an indorser on them; Mr. Lawson told him his affairs were become bad, and he could not possibly raise money to take up those bills, but he would make him assignments, that he should not be hurt, if he would raise him money upon bills; accordingly he made him an assignment, which I think was executed on the 20th of November 1758, of several debts, amongst which was a policy of assignment and charter party of a ship which Mr. Lawson had at sea; this Mr. Willson proposed to sign over to Mr. Fogg and Mr. Higgs, for what they had against him in bills; I was by at the time, it was at a coffee-house in Milk-street on the 27th of November; I don't know whether they came to a resolution or not; the day after they came to an agreement to raise 200l. to make up the 600l. but before it was executed, they insisted upon having a joint bond from Willson and Lawson to strengthen the security.

Q. How do you know what was done, was you there at that time?

Betham. Mr. Willson told me this, I was not present; this was the 29th of November; he told me he had agreed to give them a joint bond; he brought it in the forenoon to me fill'd up to Mr. Lawson's Compting-house (I think) and said, he must have it executed by Mr. Lawson and himself, or else he could not pacify those people, they would not take the security, that was the policy of insurance and charter party, without the bond; he proposed to me, for me to sign the name Lawson upon it; I objected to it, and said, I fear'd it might be attended with bad consequences to myself; and not being acquainted with the nature

of those things, I did not chuse to do it; he said, he had no intent to injure any body by it, and what he meant was to lodge it with other security as a collateral security to pacify those gentlemen, that they should not arrest him for the money; that he in a little time should be able to raise money, and take up the security out of their hands; and I might depend upon it, I should come to no harm by it; by which means he persuaded me to sign the name John Lawson to it; I did it in the presence of the prisoner, at his desire and request, but to the best of my knowledge I did not so much as read the bond.

Q. Was there a seal on it?

Betham. I cannot tell whether there was or not, I put my own name to it as a witness, but that was at Willson's request.

Q. to Hewit. Did you put the seals to it?

Hewit. I did before I delivered it.

Betham. Mr. Willson took it from me, and I never saw it afterwards, till at Guild-hall in the hands of the prosecutor; Mr. Willson sign'd his name in my presence, after I had sign'd the name Lawson.

Q. Where was John Lawson at that time?

Betham. I believe he was at Harwich then, he was gone out of London.

Q. Was it executed on the day it bears date?

Betham. To the best of my knowledge it was.

Q. When did Lawson go out of Town?

Betham. It was either the 27th or 28th of November that I went either to the Bull or Boar inn White Chapel, when he went out of Town, I carried his trunk there.

Q. Where was he going?

Betham. He told me he intended to go to Holland; he spoke for a post-chaise to be ready for him at such an hour, he went in secrecy in the dusk of the evening.

Q. When did he return?

Betham. I was in the country when he return'd.

Q. Do you know that he did go to Holland?

Betham. After he was there I receiv'd letters from him.

Q. How soon after this bond was executed did he return?

Betham. He did not return for many months after.

Q. How long was it from the time of Mr. Willson's bringing the bond to you and his taking it away on the 20th?

Betham. It was not 5 minutes, I believe.

Q. About what hour of the day?

Betham. It might be about 9 o'clock in the forenoon.

Cross Examination.

Q. Did Mr. Willson do any business with Mr. Lawson?

Betham. No; but sometimes discounted him some bills, no other business.

Q. Was you with Mr. Willson when Mr. Lawson took his leave of him?

Betham. I was; his affairs were so bad he was going abroad.

Q. Did he not leave Mr. Willson a power to transact business for him, and leave orders with you to sign his name to things that Mr. Willson should think necessary?

Betham. No; after this assignment was made to Mr. Willson it was agreed upon, that I, as clerk to Mr. Lawson, was to have a power of attorney to transact business between Mr. Lawson and him.

Q. Did Lawson say, whatever he signs I'll stand to?

Betham. No.

Q. Have not you signed various things for Mr. Lawson?

Betham. I have while he was in being, several times, that is, as acceptor for him on bills; accepted for him, but then put my own name.

Q. Have not you drawn bills for him?

Betham. I don't know that this is a fair question; I have done nothing but with his consent, I have accepted bills, and wrote his name on them for him, and then I have wrote my own name afterwards, for Mr. Lawson.

Q. Have not you sign'd his name several times with nothing but John Lawson?

Betham. With his consent I believe I have done it sometimes, without saying for John Lawson.

Q. Have not you took a deal of pains to learn to write his name?

Betham. Not his name in particular.

Q. Have not you taken many hours and days in order to write his name that you might forge it for him?

Betham. No, Sir.

Q. Have you not wrote his name very often on waste paper?

Betham. In his presence perhaps I might.

Q. Have you not, by Mr. Lawson's, order endeavour'd to write his name as near as you could to his writing, that it might be taken for his own?

B b b

Betham,

Betham. No; never that it might be taken for his hand writing.

Q. At Mr. Willson's house did you never do it, and waste sheets after sheets?

Betham. I might, and it may be other things, but not to make an ill use of it.

Q. Do you know the maid at Mr. Willson's, Frances Wheeler.

Betham. I know several maids he had, but not by name.

Q. Where did he live?

Betham. He lived in St. Thomas Apostles in lodgings; there he had but one room, I have done it when he has been along with me, for no use nor no intent.

Q. How came you to sign this bond as a witness, after you had objected to the writing the other name.

Betham. Because Willson told me he was not going to make any ill use of them, and I should come into no trouble about it, I imagin'd he would not make an ill use of it.

Q. If Mr. Lawson had returned, or could have returned to this kingdom again, whether he should not have thought himself bound to stand by that writing of yours?

Betham. I cannot tell what another man's sentiments may be in such a case, I do not know whether he would have done it or not.

Q. Was not this assignment for Mr. Willson to take up Mr. Lawson's bills?

Betham. Yes; I look'd upon it to be to his benefit; if I had look'd upon it to be prejudicial to him, I would not have done it upon no consideration; that was one thing encourag'd me to do what I did.

Counsel for crown. Did you ever execute a deed for your master before?

Betham. No, I never did.

Q. Had you any authority to do this with his name from him?

Betham. No, I had not; because he was not in England as I know of.

Q. Was the 104l. 10s. for Lawson's use?

Betham. I know nothing of that.

Q. Was not this, executed in the presence of John Betham, intended to prove it was executed in your presence?

Betham. Yes.

Counsel for prisoner. Whether you do not know another debt was discharg'd by Mr. Willson, a hundred pound bill for Lawson?

Betham. I do not remember where the money came from; there was a bill discharg'd.

John Hines. I am post-master at Harwick; Mr. Lawson was at Harwick on Tuesday the 28th of November 1758, he came there on the evening between 7 and 8 o'clock, he staid there; he staid at my house till the 30th, and then went on board.

Q. How do you recollect it?

Hines. We book all that go on board to go out of the kingdom; he never was out of my house in that time.

Q. How do you know that it was the Mr. Lawson mentioned on the trial?

Hines. He begg'd to go up stairs, and seem'd to be terribly frighted; I said, what is the matter; he said his circumstances were so bad, he was forced to go over the water: I told him 3 packmen had sail'd that morning, and another would go out on Thursday; he begg'd I would get him a pass; I got him one, being oblig'd to have a pass to go in a packet boat; then I got his name; he said it was John Lawson, and that he came from London.

Q. Did he say what business he was in?

Hines. No, he did not.

Q. Have you seen him since?

Hines. I have, and am sure it is the same man. When he stopp'd at my door, and came out of the chaise, that gentleman was with him (pointing to Mr. Staples) and I challeng'd him as soon as he came out of the chaise.

John Staples. I have heard Mr. Hines give him evidence; the person that was at his door with me which he speaks of was Mr. John Lawson, the same person mentioned on this trial.

Q. Is he a bankrupt?

Staples. He is; I am one of the assignees.

Cross Examination.

Q. Is the bond satisfied?

Staples. I did.

Counsel. Then Mr. Fogg is no sufferer by it.

Staples. He is not.

Q. Has there not been some dispute concerning your being an assignee in the court of chancery?

Staples. Yes, there has.

Q. Whether there has not been a report made by the commissioners in the court of chancery, whether they have not reported you were indebted to Lawson, instead of Lawson being indebted to you?

Staples.

Stapler. When I was chosen assignee I was a creditor to him, but upon my being under-writer upon the ship I became debtor to him.

Prisoner's Defence.

About 4 years ago, Lawson had a great number of bills, and desired I would discount them for him; from the latter end of the year 1757, to November 1758, I discounted to the value of 8000*l.* and upwards; I found drawers and indorsors were failed or failing: I apply'd to Mr. Lawson, and told him the situation things were in, and that it would be cruel to let those bills come upon me, as I had done all in my power to serve him; he said, he would make me a sufficient security, and sent Mr. Jackson an attorney to make an assignment to me of a ship call'd the *Venus*, and several other effects and debts, which were executed on the 20th of November; then I went to Mr. Higgs, and told him in whose hands there were 620*l.* 11*s.* and told him those bills were become bad, for most of them were broke or breaking; I told him, I had taken care to get a sufficiency from Mr. Lawson, and I would assign over to him this policy of insurance, and the ship's book, and bill of sale belonging to it, on condition he would advance me a farther sum of money; I told him the policy was wrote for 1350*l.* and that in case the ship came home it would be of greater value, it would make 1600*l.* I left that security with him, and said I must have the money made up 1000*l.* I left them in his hands for a day or two; and if upon inquiry he found the security was good, he would do according to my desire; I call'd upon him again, and ask'd him if he had made inquiry; he said, he had, and he had found my security good for 1000*l.* but it was not quite convenient for him to advance so much money, but he would recommend me to a friend of his, he appointed me to meet him on the Friday following at Mr. Fogg's warehouse, that was the 27th of November, I went there and saw Mr. Fogg; after we had been there a little while, Mr. Higgs sent for this gentleman, who had propos'd to advance 1000*l.* he show'd him this security, and Mr. Higgs had a policy broker along with him: he told me it was an undeniable security for 1000*l.* as it was a very common thing to assign over policies for insurances; he said, he was very well satisfied, but that he had parted with a considerable sum of money a few days before, and it was not conveni-

ent for him to do it; so Mr. Higgs and I came away together; and as we walk'd together, Mr. Higgs said, as I had acted so honestly by him, in coming to him before the bills were due, he would serve me as far as in his power; he said, there was one bill among them, which he look'd upon to be a good bill, but there were 2 upon Titley, and one upon Lawson, which he look'd upon to be bad, and those I must take up. I told him I was ready to take them all up, those amounted to 453*l.* 1*s.* this money he said he would make up 600*l.* I told him that would be doing but very little, for the property he had sign'd over to him, and that money would not be sufficient to secure every body; he said he could go no farther, but perhaps in some future time he might advance some more money; he never mentioned a word to me to put 2 men on the policy in the room of 2 that fail'd; I said, if the ship comes home it will be several hundreds more; he said, I might do as I would about putting more upon it, as we agreed upon this; he said, Mr. Lawson might meet him; he says he never saw Lawson in his life, but that will be prov'd, he desired Lawson would meet him at the Baptist-head coffee-house that evening: I sent for Mr. Lawson, and I, Mr. Lawson, Mr. Jackson, and Betham went all there on Monday the 27th in the afternoon: Mr. Higgs and Mr. Fogg talk'd to Mr. Lawson, and ask'd him about the security; he said, it was to inable me to take up bills that I had from him; Mr. Lawson, even then, had given directions for an assignment to be made to Mr. Higgs, with a blank left in it to be fill'd in; Mr. Higgs was very well satisfied with this; Mr. Fogg says my treaty was with him; my treaty was with Mr. Higgs; he appointed me to meet him at Hamlin's coffee-house, and said he should be ready; Mr. Higgs said, he should chuse to have this assignment made to Mr. Fogg; I told him, it would be very odd to make it to a person that I never had any concern with; then I said he should be engaged along with Mr. Fogg in a defeasance given to me, for I should not trust so considerable a sum in the hand of Mr. Fogg; for there would be at least 700*l.* coming to me from this assignment; accordingly Mr. Higgs and Mr. Fogg mentioned to go to some proper person to assign over this ship's policy and insurance to Mr. Fogg; I ask'd, if they approved of Mr. Hewit; they said yes, very well; Mr. Fogg went along with me there; I laid down all the papers, and gave directions to prepare an assignment to sign over

over to Mr. Fogg for 600l. he was present and heard it; there was no mention of a bond in all the transactions; there was never mention made of a bond if it had not been for the proposal made by Mr. Hewit; I have been since told, it is customary with notaries to sign a bond with every thing; he said it would be ready in about an hour; we came again, when he had very near finished the assignment; he said he thought a joint bond should accompany it; and a receipt; I said, now you come to want a joint bond, now you have 1360l. for 600. Mr. Hewit fill'd it up, and wrote a receipt at the bottom of the assignment, and I took it to Betham; he said he would go and find out Lawson, and get it sign'd, he know'd where he was. I desired him to be as speedy as possible, and in about half an hour he came and brings them sign'd to me as they are now, and I suppose by Lawson, for I fee no reason to think the contrary. I carried it, and delivered it to Mr. Hewit, and he gave it to Mr. Higgs, and Mr. Higgs paid me. Immediately after receiving this 104l. 19s. I went to a person on Tower-hill, and paid him, and took up a bill of Lawson's; it will appear evident from hence I could have no intent whatever to defraud; I could have raised more money upon that security; I could have let Mr. Higgs have done what he would with his rotten and bad bills; I think this will show the highest mark of honesty in me, that I stuck to the assignment to take up the bills of the bankrupt.

A day or two after this I went to Mr. Higgs in Cheapside, with whom I discounted a Bill of Lawson's for upwards of one hundred pounds; to another man I discounted another of his bills for 125 l. the drawers and acceptors had so far failed, there was no probability of being paid; I told the creditors, I had made an assignment over to Mr. Higgs for 1300 l. to secure no more than 600; and I must leave other people unsecur'd, if I left so much in his hands; I told them, I would assign over to Mr. Higgs, for them to be paid after he was paid: Mr. Higgs told them it was a good security for 1000 l. and that they might very safely take 225 l. for at last it would be worth 1000 l. and recommended them to do so.

When I met Mr. Hodson and Mr. Maccauley, I ask'd them, if they had been with Mr. Higgs; they said, he told them the security in his hands was an undeniable security for 1000 l. I did not chuse to encumber that security any farther, if I could help it. I went and told them I had two

bonds, on which were due 303 l. and I would assign over those bonds to them: they said, they would do whatever I pleased, either take an assignment under Mr. Higgs for 125 l. more, or as I thought proper; and in a very little time after they receiv'd the money and paid themselves. I believe here will be another mark of my honesty, I could have receiv'd the money on those bonds in a very little time, and have put it in my own pocket, had I been so minded.

I contracted all this affair with as much uprightness as possible. In a little time after this, some other affairs of Mr. Lawson's came into my hands; I apply'd to Mr. Smith an attorney to get me some more money into my hands; Mr. Smith sent for Mr. Higgs, and ask'd for his security; he told him he might, that it was a very good security for more than 1000 l. this was 3 or 4 months after it was assign'd over to Mr. Higgs.

About 3 months after, a commission of bankruptcy was taken out against Lawson; Mr. Staples and Mr. Dingley were made assignees; they petition'd for me to deliver up all in my hands belonging to him, my debt was very near 2000 l. I prov'd it to be 1800 and odd; they petition'd to have all his effects out of my hands, but their petition was dismiss'd; after that they filed a bill against me; I put in a full answer to that; they never proceeded farther against me; they never mended nor paid cost. Some time after this, they brought another petition against me, praying I might deliver up all my effects upon the bankruptcy; my Lord Keeper directed I should deliver up nothing but what was assign'd; I had nothing to deliver. Some little time after this, upon looking over the state of Lawson's books, I found the assignees had proved much larger debts than were due to them. Mr. Dingley had proved a debt of 90l. 15s. and his debt was only 50l. 15s. Mr. Staples swore a debt of 39l. 15s. and he at the same time was debtor 58l. and upwards. This I acquainted the rest of the creditors with; they readily join'd in a petition to have me remov'd. My Lord Keeper, upon hearing this petition, directed it back to the commissioners, to examine and report the matter, as it should appear to them.

Upon which, they had several meetings to settle what was really due to Dingley and Staples. Those assignees apprehending I was at the bottom of this discovery, they strove to harass and perplex me; they then immediately apply'd to Mr. Higgs,

Higgs, to get these securities out of his hands; they found there was a bond, and that they pretend is a forg'd bond of Lawfon's, tho' unknown to me to be such; perhaps Mr. Betham might think he had a right to do it, for he wou'd have sign'd 20 bonds at any time upon requesting it; for even at the time we met at the coffee-house, he was ready to sign any thing for my security that I desir'd.

They very judiciously obtain'd those securities, my property, by paying 600*l.* they possess themselves of 1360*l.* they have two ends to serve in this.

First, by getting my property out of my hands, and then to answer their malicious, envious purposes, to commence a criminal prosecution against me.

I think to defraud Mr. Fogg is impossible, he had no property in it; and to defraud Mr. Higgs, that cannot be, for he had more than a double security, that could not fail, it was good at that time, and good ever since, good this moment, it wou'd have been receiv'd many months ago, if the assignees had not hindred the payment of it.

And Lawfon is past a possibility of being defrauded, for that was to pay Lawfon's bills.

To put it upon the worst footing possible, suppose there had been no security at all, and those bills came back to Lawfon to pay, because he was paying no more than a debt he really owed; he was paying for taking up his own bills; for the very debt in Mr. Higg's hands was his own debt, I did not get one six-penny piece, or farthing by it; I am as innocent of any defraud as any man can be; I could have raised money upon them, had it been my inclination. I have spent out of my own pocket more than 300*l.* occasioned by the litigious suits that the assignees have been setting up against me, in order that the owners of the bills may not be sufferers. I have taken the utmost pains and assiduity to see justice done; and am so far from being benefited, that I am extremely injur'd; it has taken up all my time for almost 12 months together, to look after those litigious suits.

I have obtain'd my Lord Keeper's opinion, his Lordship looks upon it I have acted right. Notwithstanding the assignees have gone and got my money out of my hands, on purpose to get a prosecution against me, I hope, upon the whole, from the nature of this case, and the circumstances attending it, that the security I gave Mr. Fogg and Mr. Higgs was more than a double security, that the whole of this transaction has been fair and

upright on my part; I have not converted one single shilling to my own use; I think I have put it out of my power to commit a fraud; and if so, I hope nothing of that sort can be imputed to me; I solemnly declare, I had no such intention, I am as innocent of such a design as any man can; and therefore most humbly submit my case to the great justice of your Lordships, and this honourable Court.

For the prisoner.

Samuel Jackson. I remember, on the 19th of November, 1758, I was sent for to come to the Feathers tavern, Cheapside, there was Mr. Lawfon and Mr. Betham; Mr. Lawfon himself propos'd to me, and desir'd me to draw up an assignment; he said, Mr. Willson had indorsed and discounted a great many bills for him, and he wanted first of all to secure him. I was apprehensive, whether there was not some bankruptcy in view or intended; but upon the strictest examination I could make, I could not find it; it did not appear to me that there was any danger; he said, the whole amounted to about 2000*l.* and I was to make an assignment of such and such things to him, the ship Venus, and some part of other ships, some bonds, and some other deeds, to the amount of 3000*l.* he said, it was to indemnify him against those bills which he had indorsed, and the remainder of it was to go to Lawfon.

Q. Can you produce this assignment?

Jackson. No, I cannot, they would have the assignment executed that night, but I had not a schedule of the particular effects to be assign'd, it was appointed to be executed on the Friday morning. I drew part of the draught, and got prepar'd the stamps for it; the next day Mr. Willson's maid desir'd I would call upon him in the afternoon; I went, it was approv'd and executed on the Friday morning about 9 o'clock; to me nothing appear'd fairer.

Q. Was any defeasance executed to return the overplus money?

Jackson. Yes, that was sign'd afterwards.

Q. Where was this?

Jackson. This was at the Baptist-head coffee-house.

Q. Who were present?

Jackson. There were Lawfon, Willson and Betham, and a gentleman that has been examined here, but I don't know whether his name is Higgs or Fogg. I think he came and sat down where

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we were, Lawfon had given me instructions to prepare a re-assignment, and leave a blank for the name.

Q. Was any thing mentioned about a bond then?

Jackson. No; there was not on one side nor the other.

Q. Do you apprehend, if a bond had been proposed, Lawfon would have objected to it?

Jackson. No, Sir, I believe not at all, I had instructions from him to prepare any thing that was proper?

Q. From the nature of the whole transaction, did you apprehend, that this money to have been raised, was to discharge Lawfon's debts, or not?

Jackson. Yes, it was Lawfon told me so himself.

Q. At the time Lawfon said he would authorize you to do any thing towards making him secure, was Betham there?

Jackson. He was.

Thomas Hudson. I had one of those bills drawn by one of the Tittleys; indorsed by Willson and Lawfon; the drawer breaking it was suspicious, the whole clan of them broke soon after Tittley of London broke; Mr. Lawfon told me, I might be very easy about the bill, for he had sufficient to pay every body; he would take it up before it was due; but contrary to that he disappeared; Mr. Willson call'd upon me after that, and said I might be very easy about that bill, for Mr. Lawfon had given him authority to pay all the bills; he proposed to me to take an assignment under Mr. Higgs about the ship *Venus*; I went to Mr. Higgs & he told me, he believed it was still sufficient to pay 4 or 500l. more, but he must be paid first; said I, will you undertake to pay me after you are paid; he said, I must return the money; I am as willing to pay it to you as to any body; Mr. Willson said, he had other bills, and no man should be a loser; he proposed the signing bonds to me, and another gentleman, Mr. Maccauley, for another bill of Lawfon's, drawn by Lawfon's clerk in his own comping house, in the name of Robson; he proposed upon the whole a security upon a captain of a Jamaica ship, which we took, and returned the surplus of the money to him.

Q. How do you know that Mr. Betham drew that bill?

Hudson. Mr. Betham acknowledg'd it in my hearing.

Q. How long had you known Mr. Willson?

Hudson. I never knew him before that transaction; I can't say I ever heard of him before.

Cross Examination.

Q. Did not you say you was very sorry that you should apply in behalf of so bad a man; upon what did you found your opinion?

Hudson. I imagin'd there could not be so much money due to him as he made out.

Q. Whether there is not an intention to defraud, in your opinion, if, in 2 securities, one is a good one, and the other a false one?

Hudson. If one is a good one, I think not.

Margaret Wheeler. I lived with Mr. Willson before the year 1759.

Q. How long did you live with him?

Margaret Wheeler. I lived with him a year and a quarter.

Q. Do you remember Lawfon's coming there?

M. Wheeler. I do, he did pretty often, to have him raise money; and I have seen Mr. Willson pay large sums of money to Lawfon. I have heard Mr. Lawfon say, Mr. Willson was the best friend he ever had in his life.

Q. Have you ever heard Mr. Lawfon say any thing about Mr. Betham?

M. Wheeler. I have heard Mr. Lawfon say, if any thing is wanted, go down to Mr. Betham his clerk at the comping-house, and he could do any thing the same as himself; I have heard him say, any thing that Mr. Betham did he would stand to.

Q. What in signing of bills?

M. Wheeler. No.

Q. Did you ever see Betham write Lawfon's name?

M. Wheeler. I have seen the name Lawfon wrote several times over lying about like waste-paper, but I did not know the meaning of it, I do not know what he did it for.

John Brine. I know Mr. Lawfon; Mr. Betham was his clerk before I knew him; I ask'd Betham whether he had any authority to sign Mr. Lawfon's name in his absence; he told me yes; and that Mr. Lawfon must have broke 9 months ago, if it had not been for Mr. Willson; he said likewise, he thought Mr. Willson had no design of any fraud.

William Adams. I have known Mr. Willson upwards of 4 years; I think he told me he was a wholesale dealer in hardware, but I never had any transactions in that branch with him.

Q. What character did he bear?

Adams. I thought him a very honest man; he has assisted me with a great many thousands of pounds.

pounds in money; I did business for gentlemen out of the country, and had bills out of the country, and I have apply'd to him, and he has got them done for me; he has had of me to the amount of 2 thousand pounds in effects, and has always accounted with me very fairly.

Q. Would you trust him now the same?

Adams. I have no reason to think to the contrary of that of an honest man.

Joseph Lefley. I have known Mr. Willson 11 or 12 years; I have sold him goods, once to the amount of 300l. I never lost a shilling by him, he paid me duly and honestly; I do not think he would be guilty of defrauding any person.

Cross Examination.

Q. Do you mean, whatever evidence there is of the matter it is not to be believed?

Lefley. I do not believe he would be guilty with intention to defraud any body.

Q. to Jackson. What is the prisoner's character?

Jackson. I have seen nothing of him but what has been very fair, and very honest.

Q. How long have you known him?

Jackson. I have known him about 4 or 5 years.

The bond read, in the common form on the penalty of 1200l. for the payment of 600l. dated 29 November 1758; witnessed by John Bitham. Acquit.

He was a second time indicted for forging and publishing a receipt for the payment of 1500l. with intention to defraud Thomas Fogg, no evidence given.

Acquitted.

190. (M.) Ann Bullock, single woman, was indicted for the willful murder of her female bastard infant, April 8.

She likewise stood charg'd on the coroner's inquest for the said murder.

Susannah Dorwood. I am a midwife; I was sent for to Mrs. Dudman's; she told me she was afraid that Nanny was brought to bed, and the child was killed; I took a candle and look'd down the vault, and saw a child's feet; I went directly up stairs to the prisoner, and said Nanny, why could you put the child down the vault; she said she did not; this was between 9 and 10 o'clock in the morning; I told her she did, and told her I saw a plain proof that she had been delivered, and had put the child down the vault; then she attempted to make me

believe it dropp'd from her body in the vault; I had found she had been delivered on the boards in the vault; at last she told me she did; I went to Mrs. Dudman, and desir'd she would let me take the child out of the foil; she said, she was afraid she should come into trouble; I said, the jury could not sit till it was taken out; I went and took it out; the minute I got it up at the head of the vault the blood appear'd: I said here is murder committed, the head is almost off; I laid it down on the boards, and it bled prodigiously.

Q. How long had it lain in the vault, as near as you can guess?

S. Dorwood. I believe it might have been born between 3 and 4 in that morning; it stuck in the foil, and the foil kept the place together, so that the blood had no vent; I went up stairs directly; I said Nanny, how could you lay violent hands on it to draw innocent blood, said I, do you consider you soul? she made no answer; I said, where is your pocket? she said it was down stairs; I put my hand under her bed, and found her pocket, but there was no knife in it; then I asked her where the knife was, with which she committed the murder; she said in the knife-box; I ask'd what knife; she said one of her mistress's case knives; I look'd in the box, but looking on the other dresser I found the knife, that I suppose to be the knife with blood upon it.

Q. Did the child appear to you to have come to the birth?

S. Dorwood. It did.

Q. In your opinion was the child born alive?

S. Dorwood. Yes.

Q. Where was this?

S. Dorwood. It was at Paddington.

Q. Did you examine the body of the prisoner?

S. Dorwood. No, I did not, because every thing was safe from her body.

Q. Was it a male or female child?

S. Dorwood. It was a female.

Jane Dudman. The prisoner was servant to a lodger of mine, she seem'd to be big with child; she had been but a fortnight in my house; when she had not been in my house above a week there was some grease upon the floor, I desir'd her to get it up; she down on her knees, and as she stoop'd, I said you are a good servant, but I fear you are spoil'd; I said are you marry'd (she appear'd very big) she said no, she never was married in her life. I was in my bed, and heard a person coming down early in the morning; I call'd

call'd who is there 2 or 3 times, at last I call'd aloud; she answer'd, it is me; are not you well, said I? no said she I am not well: I heard her go down stairs, and open the yard door; she was out some time. I was very uneasy. She did not come in; I got up and open'd the sash, and call'd to her; she said yes, Madam, *I am a great deal better, I will come in presently*; I believe she had been in the yard something less than a quarter of an hour.

Q. Where was she when she answer'd you?

J. Dudman. She was then in the necessary-house; then I went to bed, and did not go to sleep, I was afraid she would fall to pieces there; presently I heard the yard door open, she went into the kitchen, and open'd the window, I went to sleep; when my husband got up, my maid came up to me and said, Madam, I am frighted out of my wits, I am afraid Nanny has miscarried, she has mopp'd up the place in the necessary-house, and the kitchen too.

Q. Is you maid here?

J. Dudman. No, she is not; there was a person that lay in our house that night, and he said to me, there is something that should not be; my husband bid me go and see; I went, and saw a bad thing had been done: then my husband sent for a constable, and order'd me to send for a midwife, which I did; then I went up stairs to the prisoner's mistress, and begg'd of her to go with me to the maid; she made us believe she was asleep; I shook her, and call'd to her, and ask'd her what wicked deed she had been doing, where is your child? at last she said it was down in the vault. I had seen the child before, but afterwards I saw the child's throat was cut. I said to her, how could you do this, there is an hospital ready, and if you had spoke to me but half an hour before I could have got it in. She never own'd to me that she had laid violent hands on it.

John Gibbs. I am constable; I was sent for to the house of Mrs. Dudman. She told me, she was afraid her lodger's servant had been deliver'd of a child in the little house, and that she had made away with it, the child was taken out of the foil, and I saw it with the head almost cut off. I went in, and ask'd where the girl was? I went to her and said, was the child born alive. She said yes. I said, did it cry? she said yes. I said, what could be the reason of your murdering of it? she said, *she did not know what to do with it*. I said, have you any cloaths for it? she said, no.

Said I, you will be hang'd. She said, O Lord, I hope not. Said I, is it your child? she said yes. I said, how did you murder it? with a case knife, said she. I ask'd her where the knife was? she said, in the kitchen. I talk'd to her a good deal, and ask'd her if she was in her senses; she said she was very well for the time, and that she was able to get up and do her business. I went down stairs and ask'd for the knife, and there I was show'd it. The next morning I apply'd to justice Fielding, and ask'd what I should do with her? he said, by all means fetch her, if she is able to be removed, there is one subject lost, don't let another be lost without punishment. I went and fetch'd her, and she confess'd the same before the justice; in the coach between there and justice Fielding's she never denied the fact; but said, she always intended to put it in the necessary. It was a female child (*a case knife produc'd with blood upon it*)

Prisoner's defence.

I did not intend to do it, I took the knife with me with intent to part the burden from the child; I never heard it cry as I am here alive. When I found what I had done I put it in the vault; I was by myself in the vault.

Guilty. Death.

She receiv'd sentence immediately (this being thursday) to be executed on the saturday, and her body to be dissected and anatomis'd.

191. (M.) Elizabeth, wife of John Osborn, was indicted for stealing one linnen shirt, value 4s. the property of Garland Davis, May 12.
Guilty. 10d.

192, 193. (L.) George Barker and Francis Keys, were indicted for stealing 100 weight of sugar, value 40s. the property of George Street, privately in his warehouse; there was no evidence of the fact, but the accomplice Joseph Williamson (see him an evidence, No. 175, 176, in first paper) whose testimony unsupported by evidences of credit, is not sufficient to convict; they were acquitted.

Barker

Barker was a second time indicted for stealing the like quantity of sugar, the property of Anthony Mles. †

Here Williamfon again was unsupported in his evidence. Acquitted.

Barker was a third time indicted for stealing the like quantity of sugar, the property of John Cotes, privately in his warehouse. †

Here Williamfon was again the only evidence. Acquitted.

194. (M.) **Thomas Ashley** was indicted for stealing one copper boiler, value 10s. the property of Nathaniel Hardcastle, April 14. †

Here Joseph Williamfon was the only evidence. Acquitted.

195. (M.) **Thomas Harper** was indicted, for that he, together with **Richard Thompson** (convicted) did steal a copper boiler, value 10s. the property of George Fox. †

Here Williamfon again was the only evidence. Acquitted.

196, 197. (M.) **Richard Thompson** and **Thomas Biggs** were indicted for stealing one gold lac'd hat, value 10s. the property of John Langley, May 1. *

John Langley. On the 1st of May, my Lady din'd in Chiswel-street, and spent the evening there; I was sent to get a coach for her; there came one without a coachman opposite York Buildings; there came the 2 prisoners with Mr. Williamfon the evidence, and ask'd me, where I was going? I said to great Marlborough-street: one said to the other d—n you, get up, you can drive well; the coachman came hallowing to us; the 3 soldiers were then turning the coach; the coachman did not come up quite to us; then one said go a little further, you may have another coach near Somerlet-house, a little beyond Exeter Change was one; when I was in the coach, Biggs catch'd off my hat, and gave it to Williamfon, Williamfon ran away with it.

Joseph Williamfon depos'd to that of the 2 prisoners and he being all together with the prosecutor, that Biggs took his hat and delivered it to

him, and he ran away with it, that they sold it the next day, and divided the money betwixt them. Both Guilty.

198, 199. (M.) **Mary Willson** and **Mary Downs**, spinsters, were indicted for stealing one pair of silver shoe-buckles, value 12s. and one pair of silver knee-buckles, value 3s. the property of Samuel Green, April 29.

Samuel Green did not appear. Acquitted.

200, 201. (L.) **Thomas Story** was indicted for stealing a silver watch, value 30s. the property of Silvester Frowhock; and **Thomas Long**, for receiving the same, well knowing it to have been stolen, December 11. †

Story pleaded Guilty.

It appeared Long had bought the watch of the prisoner, but no proof of his knowing it to have been stolen; he was Acquitted.

202. (L.) **Margaret Richards**, spinster, was indicted for that she, on the 8th of May, the dwelling-house of Christopher Leach did break and enter, no person being therein, and stealing 2 linnen shifts, value 5s. one silk handkerchief, value 2s. 2 linnen handkerchiefs, value 6d. 2 linnen caps, value 6d. and 2 linnen aprons, 1s. the property of the said Christopher Leach, in his dwelling-house. †

Christopher Leach. I live in Church-row, Aldgate; on the 8th of this instant, about 6 in the morning, my wife and I were going out, I to my business, and she to market. We left nobody in the house, I saw my wife pull the door to, lift up the latch, shove the door, which was fast, it goes with a spring latch, and the windows were not opened; as we walked forward, I saw the prisoner at the end of the row looking towards us; she turn'd and walk'd softly before us; we overtook her; she held her head down as we pass'd by her; my wife was to go through Gravel-lane, and I was coming to Black Fryers. My wife said, if she had time she would go back and see what that woman was about; I look'd back, and could not see her. I made haste back; I found my own door open, which I had not left above 10 minutes. I said, who is in my house

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house 2 or 3 times; I listened a little while, and heard a foot over my head, the whole of the house is but one floor over the ground floor; I ran up, and met the prisoner; she begun to beg of me to forgive her; saying, she never had done the like before. She had got the things mentioned in the indictment in her apron, I took them from her. At this time the bell was ringing for 6 o'clock; there was a taylor name Trustram going by; he ask'd what was the matter; I told him; he said examine her farther, for she has got a great bulk stands out before her; in a pocket she had, with compartments in it, such as market people have, one for silver, the other for halfpence; from them I took 2 bunches of keys, in the whole were a hundred all but 2, and a little box with snuffs of candles in it; I ask'd her how she came into my house; she said, the door was open (*the keys produced in court, one parcel to open large door locks, the other such as chests and trunks*)

Mary Leach. I am wife to the prosecutor; my husband and I went out between 5 and 6 that morning; I fastened the door after us; coming down Houndsditch I said to my husband, after we were gone past the prisoner, if I had time I wou'd go back, and see what she is about; my husband went back, *the goods produc'd in court.*

M. Leach. These are all our property, when we went out they were all in my drawers.

Jonathan Trustram. I was going by the prosecutor's door to my work this day fortnight; he had taken the prisoner in his house, and said he had taken the things from out of her apron; he search'd her, and these keys were found in a pair of pockets before her.

Richard Brand. I am constable; I was sent for about 6 o'clock to the prosecutor's house; the prisoner was delivered into my charge with the keys.

Prisoner's Defence.

I found them keys in a house in Golden-lane, which had been a smith's shop.

Guilty, 4s. 10d.

203. (L.) *John Pennington*, was indicted for forging a bill of Exchange in the name of Thomas Nocks of Bristol, merchant, for the payment of 80l. to Jacob Jukes, and for publishing the same, well knowing it to have been falsely forged and counterfeited, January 6. †

Vincent Briscoe. I have held a correspondence

with Mr. Nocks of Bristol for some time, and have dealings with him. I understand since, but not before that the prisoner at the bar was clerk to him (he produced a bill of exchange, dated January 21, 1760) this I took to have been drawn by Mr. Nocks; this was brought to me, and I taking it to be a good bill, accepted it; and when it became due I gave the person a draught upon my banker, and the money was paid; but upon my oath, I cannot swear that the prisoner is the person that brought it to me.

Q. Do you know any thing that will effect the prisoner as to the forging of it?

Briscoe. No, I do not.

Acquitted.

204. (M.) *Thomas Powell*, was indicted for stealing one silver watch, value 20s. the property of Thomas Green, April 28. *

Thomas Green. On a saturday, a month or 5 weeks ago, I lay at the George in Holborn, along with a young man, my acquaintance; when I went to bed I put my watch under the bed, and when I got up in the morning it was gone, there was another bed in the room; when I said it was gone, a person in that other bed, name Learner, said to me, if you have lost a watch, starting up in the bed, then I can tell you the man that has got it; he got up, and when we were below stairs, he said, it was the prisoner at the bar; we took him before justice Welch, but there he denied it.

Q. What is the prisoner?

Green. He is waiter; the George is a night-house; I know no more than what that evidence told me; I never found it again.

William Learner. I am a journeyman baker, I came out of the country to seek for business, and had been in London but 5 days; I had been at the 3 compasses, a house of call, one Thomas Parker took me to the green Dragon in York Buildings to lie there; but we staid till half an hour after eleven and I could not have a bed there, I was forced to look farther; then he brought me to the George in Holborn, there I went to bed about 2 o'clock; the prosecutor and his friend came to bed about half an hour after, and lay in another bed in the same room; I was very uneasy, and could not sleep; after they were in bed, I heard them talk; in the morning when they got up, Mr. Green said to his friend he had lost his watch; I said then I know who has got it, for I saw the drawer

drawer, that is the prisoner at the bar, stoop at the feet of the bed, he took up something, I did not see what, but if it was a watch it had got a chain to it; for I heard a chain rattle; this was between 3 and 4 o'clock, when he came up to put another man to bed.

Q. to Green. What part of the bed did you put your watch under?

Green. Under the foot of the bed, quite close to the wall.

Q. Did the prisoner ever confess any thing?

Green. No.

Prisoner's Defence.

I lighted the evidence to bed, and left the light along with him; some considerable time afterwards came Mr. Green and his friend, they ask'd master for a bed; I lighted them up to bed, the other gentleman ask'd me if I could let him have a cap, I said it was not a customary thing in a night-house, I said I would go down and see; he said you need not to give yourself the trouble, I have a handkerchief, he pull'd one out; he had been at the play and it was wetted, he having had a bottle of wine or punch, which broke in his pockets; said he lend me your's; I said I had lent 2 and lost them both; said he if I lose it I'll give you 15s. for it; I lent it him and went down, wishing him a good repose; I saw no watch then, nor in the morning; there was a man came that frequently lies at our house; he said he belonged to the militia, he ask'd for a light to go to bed, and he went up stairs, and came down in about 15 minutes, and said, your beds are all full; I said there is half a bed in the garret; I lighted him up, and he made some objections there and would not stay; I am a Herefordshire man.

For the Prisoner.

James Swindall. I have known the prisoner about 3 months, he is now my servant, I never knew any thing of him but that of an honest man, he has behav'd honest and diligent.

Wm. Long. I have known him about 3 months, I never heard any thing of him but what was good.

Robt. Turner. I have known him about three months, I never heard any otherwise of him but that of an honest man. Acquitted.

205. (M.) *William Field*, was indicted for stealing one silver watch, value 38s. the property of John Eustace, March 1. *

John Eustace. About Christmas, as I was going to bed, I dropp'd my watch and broke the glass; I gave it to my wife to put by; about the 14th of Dec. the prisoner came to work with me, he is a journeyman carpenter; he and my apprentice work'd at several places together, at which places there were things missing, such as handkerchiefs, shoes, lead, and other things; I at last discharg'd him, for what he had done in taking things at Capt. Hunt's at Mile-end; about a fortnight after he was gone, I ask'd my wife for the watch; we then miss'd that; I went and took up the prisoner, and charg'd him with taking it; he said, master hold your tongue and I'll tell you how I got it; he said, you know I was doing a bit of wain-scotting, and I dropp'd my hammer, and stooping for that, I saw a watch hanging up the chimney as I look'd up, when stooping I took it away; I took him to Aldgate watch-house, there he own'd he took it before the constable; the next morning we went to take him before my Lord Mayor, a gentleman going by, ask'd what was the matter, and looking on the prisoner, said, he had brought him a watch to sell; he is here, and will give a farther account.

Moses Barret. About 6 weeks ago, one night about 9 o'clock, a young man knock'd at my door, and ask'd for me; he ask'd me if I was a constable, I said yes; he said there is a young man offers a watch to sell for 27s. to a Jew, which is worth 4l. and he believ'd it was not honestly come by; I went with him to the 3 pigeons ale-house in Houndsditch, he shew'd me the person, which was the prisoner at the bar; I took the watch, and said to the prisoner, is this the watch you offer to sell; he said it is, what right have you to examine me; then I said I would keep the watch, and take you to the comptroller, except you give me a satisfactory account; he said, if I would go with him to his lodgings he'd make it appear to be his own property. He said he lodg'd with Mrs. Smith that keeps a school, one that I knew very well; I went with him, I ask'd her if she knew that man; she said yes, he was a lodger of her's, and had been for about six months; I shew'd her the watch, and said, do you know this watch; she said yes; she thought it to be the prisoner's property; then I said take your watch again, and gave it to him, and I went away. After

ter that I went back again, and desired to look at it again; Mrs. Smith had it, I look'd at it; I saw the name Gardner on it; I was foolish enough to deliver it again: about 3 weeks after this I seeing a mob of people, ask'd what was the matter, was told a man had stole a watch; I said I would look at him, it was the prisoner; I said friend, do you not remember me; he said yes, you are the man that stopp'd me with a watch, now he says he has lost it, I was with him before my Lord Mayor, there he said he took it from the prosecutor's chimney-piece, and was sorry for what he had done.

Mrs. Eustace. When my husband had let his watch fall and broke the glass, he gave it me to take care of it, I put it into a drawer and cover'd it over, after which we mis'd it, the drawer was lock'd; afterwards I had seen it several times there; and one time I remember I found the lock shot up and the key out, and the drawer a little out.

John Bingham. I am an apprentice to the prosecutor, I went with my master when he took the prisoner at his lodgings; I heard him own he took the watch, both then, and before my Lord Mayor.

Prisoner's Defence.

I work'd in the next room to where this watch was, by all account in putting up some wainscot, either my hammer or chissel fell down, I stoop'd for it, I look'd up the chimney and saw this watch, if it was my master's watch; I jump'd up a little faster than ordinary, and took and put it in my pocket. Guilty.

206. (L.) *Joseph Bishop*, was indicted for stealing 3 pieces of linnen cloth, containing 65 yards, value 40s. the property of John Jefferey, in the warehouse of Edward Lambley, privately, April 16. "

John Jefferey. I keep a public house in Newgate-street, but I am book-keeper to the Chipping-norton carrier, which inns at Mr. Ed. Lambley's, the Bear and ragged staff, Smithfield. On the 16th of April last, there was a paper parcel brought there directed for Mr. John Osboldestall, of Chipping-norton; the contents within-side I never had seen then; it came between 7 and 8 at night, Samuel Thorp deliver'd it to me, I put it by in the warehouse among other goods; it

was to be sent down by Mr. Gibbs's waggon. Mr. Lambley is the owner of the ware-house, but it is for the use of Mr. Gibbs only. I knew nothing that the parcel was missing till this day fortnight, then Mr. Sam. Thorp apply'd to me about it.

Q. Had not you book'd it?

Jefferey. We book nothing till we begin to weigh and load; I know the young man delivered such a parcel to me, I recollected it when he mention'd it to me again; I was inform'd it was sold at Hampstead; I went there and found the goods, and the person that took them away, which was the prisoner at the bar; he sold the parcel to Mr. Banes; Mr. Thorp swore to the goods, and that they were the same that he deliver'd at that time to me; one piece I saw at Mr. Banes's, and the other two at Old-street.

Q. Had you seen him that day the parcel was deliver'd to you?

Jefferey. He came to me at the ware-house that evening for some goods that were to have come up from Chipping-norton; I talk'd with him in the warehouse; he said he expected some fowls and eggs.

Sam. Thorp. I am servant to Messrs. Sibley and Nevilson, haberdashers at Aldgate; I carried the goods mention'd in the indictment, tied up in a strong brown paper, directed by me to John Osboldestall, Chipping-norton; there were 3 pieces, 65 yards in the whole. I deliver'd the parcel to Mr. Jefferey; he said very well, and he put it into the warehouse. After this, Mr. Banes, a taylor at Hampstead, came to my masters, and said he had bought such goods of a man of Hampstead, who said he found them; he said the 2 pieces of dyed linnen were of no use to him, and he had brought them to Mr. Waltham's in Old-street, and Mr. Waltham told him he had done them up for my masters but a few days before; master inform'd me of this, I went to Mr. Waltham's and saw the 2 pieces there, (the 3 pieces were produc'd in court) I can swear to one of those pieces, the other I believe to be the same which I deliver'd, they answer both in quantity and length: there were marks pasted on at the end of each piece with a wafer, but the prisoner had taken them off; I also put a bill of parcels in the bundle, but that the prisoner pretended he never saw.

John Banes. I am a taylor, and live at Hampstead, the prisoner at the bar came to me one morning, and said he had found 3 pieces of cloth; he ask'd me to go to his shop to see them; he has follow'd

follow'd the business of a poulterer lately. I went and look'd at them, and ask'd him what he ask'd for them; he ask'd me if they were worth a shilling a yard; I said no. I left him and went home; his wife came to my house and ask'd me what I would give for them; I bought them at last for 31 shillings; I told him I must get two pieces made into buckram before I made use of them; I carried them to Mr. Waltham's in Old-street, and ask'd the expence of stiffening them; Mr. Waltham's servant ask'd me if I did not buy them of Sebley and Nevison; then I went and inform'd them of it.

Prisoner's Defence.

I went there to meet the waggon from Chip-ping-norton, my things were to have come up; I sent a note by the waggoner, then they were to have come up the week after. I staid there an hour and a half drinking in that warehouse; it began to draw towards 8 o'clock, and I was going towards the Change, I bid them a good night; coming back again cross Smithfield, I wanted to ease myself, I went and sat down under the Bear and ragged staff sign-post, there I kick'd against this parcel; it was carelessly tied up with no directions upon it; I brought it up to Hampstead, and in the morning my wife look'd over the pieces; we made no scruple of shewing them to several people.

He call'd Edward and William Lindofs, who had known him from a child, Wm. Hawkins a dozen or 14 years, John Jepson 16 or 17, Ann Graygoose about 5; who all gave him the character of an industrious honest person. Acq.

207. (L.) *Judith Scot*, spinster, was indicted for stealing 2 bed gowns, value 6s. 2 shifts, 6 pair of shift sleeves, 2 sheets, 2 handkerchiefs, 3 black hats, one silk cloak, one silk petticoat, one pair of cotton stockings, one pair of womens shoes, one blanket, one pair of leather clogs, one pair of silver tea tongs, 3 silver tea spoons, one silver tea strainer, one flat iron, one mahogany tea board, 2 table cloths, and one linen sheet, the property of Catherine Rowland, spinster, April 26. *

Catherine Rowland. I live in Fleet-street, I teach young ladies to dance in the city; the prisoner

was my servant, I lost several things, and found it out last Saturday was a fortnight. (*She mentions each by name*)

Q How long had she lived with you?

C. Rowland. Between 6 and 7 month; I had no mistrust, my business keep me out at doors; but two time a week I teach at home in the afternoon; I am never home before 7 at night, she did not keep my thing in order, I said I would have my thing all look over, every thing clean Saturday night, only she and mine apartment; I said I would see all my thing, she would not let me; it jump in my head, I said may be you have pawn it, I did not believe it; she said she would not hurt me, I thought she like me, and I like her very well; I ask her for my tea spoon and insist upon it; she could show me but 2, she said they were gone; I said look farther in the kitchen; then she said she put it in pawn; then I was all alone, I was frighted; I tell her to know what she had pawn, I said I will not have you to live with me because I am a single person, I will not trust mine self with you; I mist stockin, I mist bed gown; she told me they were at Mr. Miller, he lives in Vite-chappel, and I in Fleet-street, that is great way; I went to Mr. Miller to look for the thing Monday following; I found several thing, they are in constable's hand; I do not know nothing more, this is enough I tink poor creature.

Jer. Miller. I live in Mansfield street, Goodman's-fields, I am a pawnbroker; the prisoner at the bar was the principal person that brought these things; she sent a poor woman with some trifling things, in her name; they were brought at different times, the first in Dec. last, and the last the latter part of April; I lent her 30s. upon the whole.

Produced in court, and depos'd too.

Thomas Nichols, the constable, depos'd to that of her confession, and the finding the goods by her direction.

Prisoner's defence.

I was arrested for 2 guineas, and wanted money to pay, so I pawn'd these things: when I told her where they were, she would not have patience till the Tuesday; I should have money then to fetch them out; she insisted to go with me on the Sunday; after that she call'd up the watchman and bid him take me away. At first she said, she would take the money at 6d. a week, and ask'd me who should go with me to the pawnbroker; I told her none but herself. Guilty.

208. 209. (L.) **Richard Melvin** was indicted for stealing one cannon-lock, value 14s. 2 musket-locks, and 2 pistol-locks, the property of our Sovereign Lord the King; 2 musket-locks, the property of Thomas Jourdan, 2 other musket-locks, the property of Geo. Vernon and Geo. Haskins; and one pair of pistol-locks, the property of Richard Edge; and

Richard Vernon for receiving 4 locks, part of the same, well knowing them to have been stolen, May 19. †

Thomas Stamp. I am a Gun-lock maker; last Saturday I was at Mr. Jos. Buckmaster's, a gunsmith in the minories; there I saw 4 gun-locks in his kitchen, 2 of them I knew to be the property of Mess. Vernon and Haskins; and the other 2 to be the property of the King; (2 musket-locks, and two pistol-locks produc'd) these are they; the King's mark is on the inside the plates on the 2 pistol-locks, the others I made for Mess. Vernon and Haskins, I mark'd them.

Q. Is it the common mark you put upon all you make?

Stamp. No, this is the mark I put upon all I make for them, and I make no locks of this sort but for them: I ask'd Mr. Buckmaster how he came by those locks; he said, they were brought to his house for sale by the prisoner Hewson. Here is also a parcel of locks, which I was at the finding in the house of Melvin (producing 6 more) they are of several peoples making, some in Birmingham, some in town: here are two flat pistol-locks, the property of Richard Edge; a musket-lock, the property of the King, with all the King's marks on it; here is a brais lock called a cannon lock, and 2 musket-locks, the property of Thomas Jourdan, they have the letters T. J. which they always strike on the inside of the lock. I heard Melvin confess after he was taken into custody, that he had followed robbing the Tower of locks about 12 months, and that he carried them to the other prisoner, and he us'd to buy them.

J. Buckmaster (he takes 2 musket and 2 pistol-locks in his hands) to the best of my knowledge these are the locks brought to me for sale by Hewson.

Q. Did you ask him any questions how he came by them?

Buckmaster. No, I did not.

Q. What did he charge a piece for them?

Buckmaster. He said the musket locks were a crown each, and the pistol locks 3s. for the pair; I said the price wou'd not do for me.

Counsel. What would you sell one of them for if I wanted one?

Buckmaster. I have some that I give but half a crown a pair for, and these are not a great deal better.

Stamp. One of these locks is worth 6 of them that you talk of, which you know very well.

Q. How long had these locks been at your house?

Buckmaster. They were at my house about 7 or eight days, or thereabouts.

Q. How often might Hewson have brought locks to you?

Buckmaster. Never before he brought these; he said he was to have 5s. a piece, and to have nothing for his trouble in selling them but a pot of beer; he has work'd for me 20 years in the gunstocking way; I have bought many 100 of gun locks and barrels too of him; I did not mistrust him.

Q. Look at them, do you see the King's mark upon them?

Buckmaster. Now I do; but I did not know the King's mark then.

Cross Examination.

Q. How long have you known Hewson?

Buckmaster. I have known him 7 or 8 and 30 years, he has been a house-keeper 35 years.

Q. What character has he bore in the neighbourhood?

Buckmaster. He has bore a good one, or I should not have employ'd him.

Q. Did you ever hear of any locks that are returned?

Buckmaster. When they do not like them, they do not pass, they are returned.

Q. Have you met with a great number of such locks?

Buckmaster. No; I am not in that branch; such locks are sold in the common way to the shops where they have a mind to buy them.

Q. Did these appear to you as returned locks?

Buckmaster. I took little notice of them, the price ask'd for them all were too much.

Counsel for Crown. Are they mark'd with the government's mark when they are returned?

Buckmaster. Yes, they are mark'd by the view-ers, I think.

Counsel for Crown. Do you know the difference between a viewed lock and a lock not viewed?

Buckmaster. I am not so good a judge.

Counsel.

Counsel for Crown. Is there a broad arrow put upon them before they are hardened?

Buckmaster. Yes, I do not know of any marks after they are hardened.

Counsel for Crown. Did you ever hear of a lock that had the King's mark on it, that has been returned?

Buckmaster. They are viewed after they are hardened, and if they do not like them they are returned, if there is some defect in them.

Counsel for Crown. When the King's mark is upon them, is the lock perfect?

Buckmaster. Yes.

Thomas Hartwell. I am under the surveyer general in the small gun office.

Q. What time is it that they put the government's mark upon the locks?

Hartwell. These sort of locks are sent in by the contractors in this state (holding a soft lock in his hand) with the contractor's mark on them (he takes up a hard one) this is mark'd with all his Majesty's proper marks.

Stamp. This is found at Mr. Buckmaster's house.

Q. What is done before you put the King's mark upon them?

Hartwell. They are narrowly inspected by a proper officer, to see whether they are according to the pattern agreed for; if they are approv'd of, he immediately strikes a proper mark on the inside, which we all know, and all the trade knows; if we meet with a lock in the East Indies we know who it was viewed by; there is not a boy in the trade but what knows it; he strikes his mark first, and immediately after that strikes the broad arrow on the outside; after which, they are never return'd back to the maker again; then they go to the engravers, then to the hardeners; they go through another inspection after that, and if needful they are return'd to be made good, but never fold after the King's mark is upon them (that is not new locks) these 2 musket locks, and 2 pistol-locks, are the property of his Majesty, with the proper marks upon them; here has been some art used with the pistol-locks; part of the marks have been taken out on the outside; the cannon lock is the property of his Majesty, I can plainly discover where the mark on the brads plate has been filed out; this was made for firing a piece of ordnance, they could be used by nobody else, they are for firing 3 pounders on the quarter-deck of 24 gun ships.

Stamp. That cannon lock was found in the lodgings of Melvin.

Hartwell. The price for these locks is 14s. and 6d. each; for all sorts of cannon locks these are the lowest of all, but then they are put upon an average.

George Haskins. Here are some locks mine and my partner's property. We employ Mr. Stamp to get us up locks, and then we mark them with our names; he marks them in the country by our order; when we came to Mr. Buckmaster's he was backwards; we ask'd him for the locks that Mr. Stamp had seen there; he gave them us; and said he had them of Hewson, I sent for Mr. Hewson, and he came; my partner and I ask'd him how he came by these 4 locks; he said, the man he had them on, was gone to Birmingham, and was there by now, that was on the Monday; we told him we were great sufferers, and would prosecute him, or know the bottom of it; when he found we insisted upon a satisfactory account, he desired us to give him time till the next day; we told him we could not, we did give him time till the next day, then he desired time till one o'clock, at which time we went to his house again, his servant told us he was at the Red Cross in the Minorities; we went there, and there we saw Hewson and Melvin; there Hewson said he had the 2 pistol locks and 2 musket locks of Melvin, they are the property of his Majesty; we never sold any to Melvin, or any body else; we serve the government with them.

Q. Did Buckmaster say what they were brought to him for?

Haskins. He said, they were brought to him to be sold.

Cross Examination.

Q. Were the 2 prisoners together in company when Hewson said he had them of Melvin?

Haskins. Yes, they were; he said he gave 3s. in part of payment to Melvin for the locks.

Q. Might not Buckmaster suppose Melvin was gone to Birmingham?

Haskins. I can't say what he might suppose; then we charg'd a constable with them both.

Melvin's Defence.

I sold them locks to Hewson for 2s. a-piece, and one shilling I had of him for the 2 pistol-locks, and spent the money at the Red Cross.

Hewson. I will call some witnesses to my character.

Hewson.

Hewson call'd Robert Harding, who had known him upwards of 20 years; William Watts, upwards of 30; Richard Jervise, Williams, John Watts, about 30, and Thomas Harding about 10; who all gave him a very good character.

Melvin Guilty. Hewson Acquitted.
The trials being ended, the court proceeded to give judgment as follows:

Received sentence of Death 1.

Ann Hullock.

Transportation for fourteen years 1.

Francis Wardly.

Transportation for seven years 16.

Ann Preston, Richard Melwin, Margaret Richards, Catherine Dun, Thomas Taylor, Mary Thompson, Judith Scot, John Fisher, Thomas Allen, George

Anderson, Esther Urwin, Roger Allen, Eleanor Crouch, Richard Thompson, Thomas Biggs, and William Field.

To be whipped 2.

Thomas Keeling and Ann Brooks.

Branded.

Thomas Story.

Ann Hullock was executed pursuant to her sentence on Saturday the 24th of May.

The Right Honourable Sir THOMAS CHITTY, Knt.
Lord-Mayor.

GOD save the KING.

The next sessions to begin at Guild-hall on Monday the 7th of July, and at the Old-Bailey on Wednesday the 9th of July.

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P R O C E E D I N G S

ON THE

King's Commissioners of the Peace, Oyer, and Terminer, and Gaol Delivery

FOR THE

CITY of LONDON,

And also the Gaol Delivery for the

County of MIDDLESEX,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 9th, *Thursday* the 10th, and *Friday* the 11th, of JULY,

In the Thirty-third Year of His MAJESTY's Reign.

N U M B E R VI. for the YEAR 1760.

Being the Sixth SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir Thomas CHITTY, Knt.

LORD-MAYOR of the CITY of LONDON.

L O N D O N:

Printed, and sold by G. KEARSLEY (Successor to the late Mr. Robinson)
at the *Golden-Lion*, in *Ludgate-Street*, 1760.

[Price Four-pence.]

THE PROCEEDINGS ON THE

King's Commissions of the Peace, and Oyer and Terminer, for the City of LONDON, and at the General Sessions of Gaol Delivery for Newgate, holden for the City of LONDON, and County of MIDDLESEX, at Justice Hall in the Old Bailey, &c.

BEFORE the Right Honourable Sir THOMAS CHITTY, Knt. Lord Mayor of the City of London; Lord Chief Baron PARKER, * Mr. Justice BAURST, † Mr. Justice WILMOT, || Sir WILLIAM MORETON, Knt. Recorder; ‡ and others of His Majesty's Justices of Oyer and Terminer for the said City.

London Jury.
Richard Stevens
Henry Knight
Robert Garrard
Caleb Lee
James Jervis
William Lee
Edward Mottley
Joseph Philips
Joseph Beard
Joseph Tenniswood
Samuel Bignall
Anthony Slade

Middlesex Jury.
Walter Lee
William Boozcher
John Manwell
Francis Sutton
Thomas Gaff
William Smith
George Robinson
Richard Spencer
Thomas Burt
James Lake
James Sherridine
John Robertson

210. (M.) Ann Carroll, widow, was indicted for stealing one silver pint mug, value 38s. the property of Dennis Commins, June 15. ||

Mrs. Commins. My husband's name is Dennis Commins; we live at the King's head, the corner of Prince's street, Drury lane, a public house.

Q. Was the prisoner your servant?

Commins. She was a chairwoman at my house.

N. B. The Characters * † || ‡ direct to the Judge by whom the prisoner was tried; also (L. and M.) by what Jury.

Q. How long had she been chairwoman at your house?

Commins. Not above a week. I had lived there 3 months or better; on the 15th of June last I lost a silver mug, and missed her at the same time from my house.

Q. When had you seen it last?

Commins. I gave it to Sarah Wailey, my maid, to wash it with others; she brought me 5 silver tankards, and left 2 mugs behind, presently I found one of the mugs was missing.

Q. Had the prisoner used to lie in your house?

Commins. She lay with the maid; the prisoner came in about 20 minutes after; I accused her with taking it; she denied it; I took her into a private room, and sent for a constable, and then to the Roundhouse; a gentleman named Turner, went to our other house (we kept two houses) and he carried the mug to my husband.

Mr. Turner. I keep the Crown and Cushion, Russel street, Covent Garden (a public house) the prisoner used to come to my house sometimes for a pint of beer; she came on the 15th of June, at near 12 o'clock, and had a pint of beer, paid me for it, and desired to leave this silver mug with me (producing one). I asked her no questions, having no body at home but myself to attend my house, and being busy with my customers. She not coming again for it, as she proposed, I look'd at it, and found the name Matthews, at the Angel and Crown St. Martin's lane, that was Mrs. Commins's former husband's name. I sent immediately to St. Martin's lane; Mr. Commins came and own'd the mug; then we went to their other house near Drury lane. Mrs. Commins had sent the prisoner to the Roundhouse.

Q.

Q. from prisoner. Whether I did not say to you, the servant had given it to me?

Turner. She did say something of a servant maid, but the words I did not take particular notice of, being busy; she said, she would soon call again for it.

Prisoner's Defence.

On the Saturday night, the maid told me, her Mistress would not let her in, and they had had a dispute; but she said she would be even with her, she got a large glass of Brandy for me, when she was washing the pots; I was shelling of pease; she call'd me, and said, take this pint mugg, and carry it abroad, till I call for it; I took it, and carried it to Mr. Turner's house.

Guilty.

211. (M.) *Brinjet Callahan*, spinster, was indicted for stealing one yard of blond lace, value 1s. one necklace of French beads, value 6d. one yard of ribbon, value 3d. one muslin apron, value 6d. one pair of gown sleeves, value 6d. 2 silk gown linings, and one linnen shift, the property of Ann Parnell, June 2. ||

Ann Parnell. I live in the Strand, and am a milliner, the prisoner lived a servant with me.

Q. How long had she lived with you?

A. Parnell. She came to me about Michaelmas; I lost the things mentioned in the indictment, I miss'd them at different times.

Q. When did you miss the first?

A. Parnell. I believe that was in January, she went from me to another place, and her mistress that she lived with came to me, and told me the prisoner had some of my things, but I do not know that she took them.

Q. Did the prisoner own to any thing?

A. Parnell. No.

Q. Have you got your things again?

A. Parnell. No.

Acquitted.

212. (M.) *Mary*, wife of Elias Blanders, was indicted for stealing 2 ounces of silk, value 4s. the property of John Patterigale, June 7. ||

John Norbury. I live in Hoxton Market place; I am a weaver, and work for Mr. John Patter-

gale; he lives in Friday street in the City, I hired the prisoner out of Spittle fields market, at 3s. per week, on the 3d of June last, to work in my house, at winding of silk; she came to live with me the same day, and lived with me 5 days, the silk was Mr. Patterigale's silk, but in my care; I miss'd some silk when I carried it home, and I thought to catch her, if possible, I weighed 2 empty bobbins, and also some silk which she was to wind upon them bobbins; this was on the 7th of June; she took the silk at the usual place; when she had done it I weighed it again, and I ought to have had 12 ounces, and 6 drams, and there were an ounce and 7 drams missing. I charged her with taking part of the silk; she confessed she had sold it to one John Cornelius; a man we have had suspicion on in the trade some time, but we cannot take him.

Court. We should be glad to see that man here, *Magdalen Sturt.* I heard the prisoner own she had sold the silk to Cornelius; this was before the Justice.

Prisoner's Defence.

I hope the court will take it into consideration, I never did such a thing before, and Mr. Cornelius persuaded me to do it.

Guilty, 10d.

213. (M.) *Mary*, wife of — *Drifnell*, was indicted, for that she on the 18th of June, did unlawfully, knowingly and designedly, by false pretences, obtain from John Charlton one quarter of a pound of green tea, value 2s. and one quarter of a pound of bohea tea, value 18d. the goods, wares and merchandise of the said John, with intent to cheat and defraud the said John against the peace of our Lord the King, his crown To which she pleaded, *Guilty.*

and dignity.

214. (L.) *Frances Newcome*, spinster, was indicted for stealing 2 yards and half of white linnen thread lace, value 2s. 8d. 2 yards of other thread lace, one yard of other thread lace, one yard and a quarter of other thread lace, 2 yards of other lace, 2 yards and a quarter of other lace, one yard of silk lace, 9 yards of ribbon, 2 yards of black satin ribbon; the goods of

Emm.

Emm Scott, Theodotia Hathway, and Mary Cove, June 4. †

Emm Scott. I am a milliner.

Q. Have you any partners?

E. Scott. I have, they are Theodotia Hathway and Mary Cove; we live in Milk street; I lost some laces and ribbons.

Q. Have you heard the indictment read?

E. Scott. We have; I lost the things mentioned; the prisoner was our servant, she had lived with us 5 weeks all but one day; she was going away. I having miss'd some things, ask'd her about them; she denied knowing any thing of them; I had her box searched, and the things mentioned in the indictment were found in it; then she owned them to be our property (*produced in court, and deposed too*)

Cross Examination.

Q. What character had you with her?

E. Scott. I had a very good character with her, or else I had not taken her.

Mary Bowyer. I am an apprentice to Mrs. Scott; I was not present when the box was searched, but I heard the prisoner tell Mrs. Emm, that the things mentioned were my Mistress's property.

John Newcombe. Mrs. Cove, one of the partners came to me and told me, the prisoner had robb'd her, and desired I would go with her to tax the maid with it. I went with her, and spoke to the prisoner. She denied having any thing but what was her own. I told her, she had better own it, for they were certain that she had robb'd them, and it might be the better for her; she still denied it; I said there is the constable below stairs, and we must search. Then she said, she would go up and open her box, and cry'd. She opened the box, and in it were found these goods mentioned. We took her before Mr. Alderman Cartwright (*produced in court, and deposed too*)

The prisoner said nothing in her defence.

For the prisoner.

Abraham Kirby. I have known the prisoner at the bar upwards of two years

Q. What are you?

Kirby. I am a callender.

Q. What sort of a character has the prisoner?

Kirby. The best of characters; I have been once asked at the church to her, and I will marry

her to-morrow if the gentlemen will take it into consideration, and clear her.

George Cotterell. I have known the prisoner 2 years, I am a ticket porter, I used a house where she lived; she had the best of characters in our neighbourhood.

John Jenkins. I used the house where she lived upwards of 2 years; I always knew her to bare the best of characters.

Guilty. Recommended.

215. (M.) *Mary Chesterfield*, spinster, was indicted for stealing one blanket, value 1s. one linnen sheet, value 11d. one mahogany spoon, the property of Robert Carey, in a certain lodging room let by contract, &c. June 1. †
Guilty, 10d.

216. (M.) *Jos. Althey* was indicted for stealing one pair of silk stockings, value 4s. 6d. the property of Obadiah Wright, June 2. *

Obadiah Wright. The prisoner was my servant, I deal in stockings. On the Saturday before the 2d of June, when I came down in the morning, some things were missing in the shop; I concluded they must be taken by somebody in the shop; the prisoner had been backwards and forwards with me for 16 years; I always before look'd upon him to be a very honest man: my son said he suspected him; I said, then we will soon catch him; we put 19 pair of silk stockings upon a shelf, and when the prisoner came to work, my son gave them to the prisoner to finish them. When night came, the prisoner took his hat, and was going away. I told the stockings, and miss'd a pair; my son call'd him back, and told him there was a pair missing; I bid him pull off his coat, he did, and in the lining of it I found one of the stockings put in at a hole at the back of the coat. Then he said he had lost the fellow to it, and he had put it there fearing I should be angry. Then in searching farther, one Richard Slaughter found the fellow stocking on him. Then I took him before justice Welch; he said it was the first time he ever had done so.

Rich. Slaughter. Mr. Wright told me he had lost stockings several times, and he suspected the prisoner, and told me he had got a pair then. When he was gone out they call'd him back; they charg'd him with taking a pair. I said,

come,

come, there is nobody here but you and I, we will stand search. He was search'd, and a pair of silk stockings found upon him (produc'd in court, and depos'd to)

Prisoner's Defence.

I do not deny but I had one of the stockings, but I know nothing of the other; I should have cut off the tops of them, and brought them again, if I had found them in my pocket. I have been 21 years in the King's service, and have people here to my character.

For the prisoner.

James Evans. I have been in the company that the prisoner belongs to about 17 years; then prisoner was a soldier in it when I enlisted; I was abroad with him the last war, I never heard a word of ill of him in my life.

Hugh Mogriger. I have known him about two years, he never was suspected of any theft, neither did I ever hear the least complaint against him.

Guilty.

217. (M.) *Ann Ward*, widow, was indicted for stealing one pair of womens stays, value 6d. and one black flower'd bonnet, the property of Fra. Roberts, June 14. †

Elizabeth Roberts. My husband's name is Fra. Roberts; the prisoner came to my house the 13th of June last, to sell me a pair of shoes. I had occasion to go out to sell things in the street. I came home at 10 o'clock, and was getting supper; he came in again, and ask'd me to buy a handkerchief of her; she said she had a sick husband, and a child out at nurse. I said I would not buy. I stripp'd my children to wash their little things; she said, she wou'd stay and help me; I then said, I wou'd give her 2d. an hour. She took the childrens two cotton gowns, a bonnet, a pair of old stays, a blue and white cheque apron, and a copper saucepan, and went away with them. I found the stays in her lodgings, and found her drinking in an alehouse with my bonnet by her; (produc'd in court, and depos'd to) I never found the other things.

Q. When did you find them again?
E. Roberts. The day after I lost them.

Prisoner's defence.

I bought these stays in Rag fair for 9d. I was quite in liquor; as to any thing else, I know nothing at all of it.

Guilty.

218. (M.) *John Wright*, was indicted for stealing one brown and white satin gown, value 5s. two crape gowns, value 5s. one black silk cardinal, value 5s. and 2 linen aprons, the property of John Fitzhew, Jan. 1. †

John Fitzhew. I am a breeches-maker, I lost these things mentioned between the 31st of Dec. last, and the 5th of Jan. I live in St. Bartholomew the Great.

Q. Where was they taken from?

Fitzhew. From out of my lodging room, they were my wife's things; the prisoner lodg'd in the same house; he elop'd on the 10th of Jan. After he was taken, I took him before justice. Welch there he said John Bristow gave them to him. I did not find them till Monday last.

Q. Do you know John Bristow?

Fitzhew. I know no such man; he said, he stood at my door, and one John Bristow came by, and desired him to go and pawn them, and he did.

Sam. Slayter. I am a pawnbroker; on the 31st of Dec. the prisoner came and pawn'd this gown and cardinal to me (producing them) in the name of John Bristow, and said that was his own name, and said, he lived in the Broad way, Black Fryers.

Prosecutor. I cannot find the other things, those he produced are my property.

Prisoner's defence.

The prosecutor brought me from a sick bed in the workhouse; and would have made it up with me for 12s. last Monday.

Q. to prosecutor. Did you make him any such proposal?

Prosecutor. I was loth to take away his life; and I did say, if I could have that money paid, I would not meddle with him.

G g g

Court.

Court. You did a very bad thing.
Guilty.

219. (M.) *Elizabeth Wyford*, spinster, was indicted for stealing 2 linnen sheets, value 5s. the property of William Currel, in a certain lodging room let by contract, July 7. †

Mary Currel. I mis'd my sheets, and took the prisoner up upon suspicion; they were let with her with a lodging room, almost half a year ago; I took her up, and charged her with it; she confess'd it, and they were found at 2 pawnbrokers, that are here.

Henry Parker. I am a pawnbroker; on the 15th of May, the prisoner pawn'd this sheet at my house for 3 shillings (produced and deposted to) I attended justice Welch with it, the prosecutrix owned it.

Hannah Sumner. On the 7th of July, the prisoner pawn'd this sheet with me for 2s. (produced and deposted to)

Prisoner's defence.

When I pawn'd the first sheet, having no work to do, my landlady knew of it, and said she would forgive me on my fetching it out again, I did not quit the room, but intended to fetch them out again.

Prosecutrix. I found it out after it was pawn'd, but not before, neither did I give her liberty.

Guilty, 10d.

220. (M.) *Elizabeth Stevens*, spinster, was indicted for stealing one linnen shirt, value 2s. and one blew cloth waistcoat, value 3s. the property of Price Swancott, June 14. †

Price Swancott. The prisoner was employed to do business for my wife. On the 14th of June I mis'd a blew waistcoat and shirt; I had intelligence she was in the round house for a quarrel; I went there, and asked her if she knew any thing of my waistcoat and shirt; she said she had pawn'd them, the waistcoat to Mr. Pell, the shirt in Ruffel street Covent Garden. I went and found them accordingly; I had known her a great many years, and never knew her to do the like before; she always bore a good character before.

Thomas Harrison. On the 14th of June I took in this waistcoat of the prisoner at the bar (produced and deposted to) she appear'd to be a little in liquor,

Q. Do you take things of people in liquor?
Harrison. She told me one William Rounds sent her with it.

Prisoner's Defence.

I was at work at the prosecutor's house; there came in a young man, and I suppose he took these things, and went to an alehouse in St. Martin's lane, and desired me to come to him, I did, he desired me to pawn the things for him; I went and pawn'd them for him; since I have been taken up, he has made off.

For the Prisoner.

Francis Donwell. I have known her from 13 years of age, I always took her to be a very honest woman; I never heard to the contrary all now.

Ann Lambeth. I have known her from 8 years of age, I went to school with her, and always took her to be an honest sober girl.

Prosecutor. I would have trusted her with a thousand pounds; she has had an opportunity in my house to have taken things of value had she been so minded; I remember she was a little in liquor the last time she was at our house. Whether she took the things, or any body else, I know not.

Acquitted.

221. (M.) *William Davis*, was indicted; for that he, on the King's highway, on John Copeland, did make an assault, putting him in corporal fear and danger of his life, and stealing from his person 4 pair of worsted stockings, value 5s. and 2 pair of cotton stockings, value 1s. the property of Robert Copeland, July 9. †

Robert Copeland. I keep a stocking shop, at the corner of Prince's street, near the Haymarket. I have a sister lives at Islington; she sent to me for me to send up some stockings for a neighbour's child of her's; I sent 6 pair by my 2 children, they having frequently gone that walk. (The 2 children were in court.)

Q. How old are they?

Copeland. The girl is upwards of 8 years old, and the boy turn'd of 6 years old; I sent them out of my house about a quarter of an hour after 11 on Wednesday last; the other witnesses can inform the court better.

Robert

Robert Crump. On Wednesday last, between the hours of 12 and one, I was coming from the White Conduit, by Ilington; there is a large pond wall'd in, on the west side of that wall I met the prisoner at the bar, and this little boy; the boy had a parcel under his arm, and the little girl was about 20 yards behind them; the parcel was tied up in brown paper; the little girl called, and said *Jockey*, that is not the way; the boy answered, this will take me into the new road; the prisoner said come, I'll show you the road; I was coming to London. I came about half way down the next field, and seeing something bubbling in the water, I stopp'd by the pond-side; while I was standing, I heard a noise, and soon distinguished it to be the crying of children; I look'd back, and at first saw nobody; presently I saw the prisoner come running under the wall, where I first met him; he came towards me; at the end of the wall he jump'd over the rails into the field where I was, and run down the grass, making towards Sadlers Wells. Then I heard the cry of the children, increased my suspicion; when he was as near me as he chose to come, I said, *Hollow, you sir, you have robb'd the children*, very loud; he turned short front me; I pursued him; he made up to the wall of the reservoir, to the south part of it: I kept so that he should not get to London. I said, *Hollow, I shall have you*; when he came to the wall he put his hand under his coat, and pull'd out this bundle (*producing a bundle in paper*) and went to throw it over the wall into the water; it hit against the wall, and fell back again; then he took it up again, and throwed it over, where it was found: then I was convinced he had robb'd the children, and I call'd our *step thief*. I pursued him to the corner of the new road. Mr. King was amongst his sheep, he came to my assistance, and we secured him; and the children came and said, that man (*pointing to him*) had robb'd them. We took him to Hicks's Hall, there justice Wright committed him.

Prosecutor. These are the same stockings which I sent in a bundle by my children, that day.

Henry King. I was in the field, I saw Mr. Crump pursuing the prisoner. I saw him sling the bundle over the wall, and heard Mr. Crump say, I shall have you presently; I went to his assistance, and we secured the prisoner.

Prisoner's Defence.

I overtook the girl about 30 yards behind the

boy; at last I overtook the boy; he asked me, if that was the way to the new road. I said, I will show you the way, it is straight forward; I went into the field in order to ease myself, and saw him run back to his sister; when I had done I got up, and went, and made the best of my way to where I was going, which was to Noble street, by Goswell street. I found this bundle in the grass I took it up, I did not know any thing about it, presently I heard the sound of crying; I made the best of my way to that gentleman, Mr. Crump; he turned and made towards me; said he what are you, what have you got there? as I understood. I said, nothing of your's, nor no body's else, as I know of; said he I'll have you; so with that I made an attempt to throw the parcel over the wall, it fell down, I took it up again, and throw'd it over.

Guilty of the larceny only.

222. (M.) *Mary Ward*, otherwise *Varthe*, spinster, was indicted for stealing 3 linnen gowns, value 40s. the property of Robert Austin, August 8.

Robt. Austin. I am a taylor; the prisoner came and took a ready furnished lodging of me on the 6th of August, and staid but one week; there were 3 of my wife's gowns in a drawer in the room she had taken; the drawer was lock'd, and not let to her with the lodgings. After she was gone the gowns were missing, and the drawer left open, and a bunch of keys on the bed, which would open many locks.

Mrs. Austin. These 3 gowns (*producing them*) are my property, they were taken out of a drawer in the room that the prisoner had hired.

Q. to R. Austin. Where were these gowns found again?

R. Austin. I had them from the overseers of the parish of St. Clements.

Q. Where do you live? *R. Austin.* I live in Doctors Commons.

Jos. Buxton. The prisoner was past 16 years of age, she was delivered to us by a vagrant pish; she told my partner and I she belong'd to a very great family, that she had a brother that had an estate of five hundred pounds a year, a counsellor, and that she had a great many very good things

things in pawn, but for want of a little money she could not redeem them; and if we would write to her brother, he would send her money up to pay for the things; upon this we went and redeem'd them, among which were those three gowns; we kept them some months expecting the money from her brother, and allow'd her 2s. a week; at last she sent us word she was taken up in the city, and desired we would come of us appear for her, we had a messenger come, and told us she had stolen many things; and after that the prosecutor's wife came, and said she had lost several things, and particularly these 3 gowns. She describ'd one a white gown, with a string sowed to the back of it, and brought a piece of the pattern of another gown, it match'd it; and the other was describ'd. We had no doubt of the three gowns belonging to the prosecutor, and we delivered them to them in the vestry room.

Prisoner's Defence.

My husband was taken up about some goods said to be stolen, and he show'd the pieces belonging to my gown to prove them mine, and the prosecutor kept them, so he went to the parish officers, and described them, they are my own gowns.

Guilty.

223. (M.) Catherine Messenger, spinster, was indicted for stealing one guinea and a half, and 6s. in money, numbered, the property of Daniel Dixon, from his person, privately and secretly, June 28. †

(Daniel Dixon, a Gentleman and I were drinking at the 2 brewers in Clare market; I laid my head on the table, and fell to sleep, and he went away while I was asleep.

Q. Was you sober?

A. I was; as sober as I am now; the prisoner came and awaked me, and said my friend was gone, and took me by my arm; I said, what business have you with me, if he is gone? she said, he wants you at the bottom of the street.

Q. Had you been in company with her;

A. No, not at all, only I saw her in the house; she held me fast by the arm, I wanted to get my arm from her; I observed she wanted to get me out of the house. I said again, what business have you with me? I felt in my pocket, and mis'd my money.

egm:1

Q. Had you your money in your pocket when you laid your head down to sleep?

Dixon. I had; it was a guinea and half, and some silver; I said to her give me my money, or I will tear your arm off. She immediately gave me a guinea, and said that was all she had; I found this piece of metal in my pocket, which I knew nothing of before (producing a counter).

Q. Did the prisoner set down by you?

Dixon. No; not except she did when I was asleep. I can't swear who took the money out of my pocket.

Acquitted.

224. (M.) Susanna Cottrell, and Samuel, her husband, were indicted, the first for stealing 20 yards of silk, call'd corded tabby, value 8l. the goods of Miles Malon, Benj. Lucas, and John Williams, and the second for receiving the same, well knowing them to have been stolen, May 16. †

Benj. Lucas. On the 16th of May I lost a piece of green corded tabby out of our shop, 20 yards, and a quarter of it.

Q. Have you any partners?

Lucas. I have, Miles Malon and John Williams, we are mercers, and live in Catherine street; I had often lost things, and I never could fix them on any body. I advertis'd this at 20 guineas reward on the conviction of the person that stole it. The day after the advertisement, Mr. Pell, a pawnbroker, came and brought 4 yards of corded tabby; I could not be certain to it, the mark being cut off, and it was cut into small pieces. I sent for my weaver from Spittle fields, who weav'd it, he brought the fellow piece to that I lost; the 4 yards tally'd with that. There were brought 2 yards the next day, which were pawn'd to Mr. Gunston, a pawnbroker, the very same sort. Mr. Pell told me, he knew the person particularly well that pawn'd the 4 yards to him. I apply'd to Justice Fielding for a warrant to take him up. It happen'd, he came again to Mr. Pell on the 30th of May to take a coat out of pawn, and he secur'd him; his name was Bradford. We detain'd him till we got the man at the bar; he was taken at the black horse in Bedford bury; we went in at the red lion in Russel street in a back room; he wanted to tell me something privately. I said to the constable, go and call for something at the bar; then the prisoner told me that was very un-

happy

happy in a wife, she was given much to drinking, and had spent him 3 or 400 l. at Bristol, and she would certainly be the ruin of him. I order'd the constable to go and take the woman if he cou'd. He own'd he had pawn'd 4 yards of this silk to Mr. Pell, 2 to Mr. Gunston, 4 at the bottom of St. Martin's lane, 4 in Holborn, he could not tell the names; he said he would go along with me to the places; we went, and found but 2 yards at that house in Holborn, and 6 yards we found put up his chimney where he lodg'd. We have found all but 2 yards; he acknowledged his wife had taken the piece; when she was taken, she at the same place in Russel street acknowledg'd she had taken it; she acknowledg'd she carry'd the 2 yards to Mr. Bibby.

Cross Examination.

Q. Whether you made the man at the bar any promises?

Lucas. I told him, if he was innocent, if he would make any discovery if he knew the person, he should go home about his business directly.

John Pell. I am a pawnbroker; on the 16th of May, about 6 in the afternoon, I took 4 yards of silk in pawn of a man, named John Bradford (produced in court) when we were going before Mr. Fielding, the woman at the bar desired I would speak to Mr. Lucas to be favourable to her; and declared to me in what manner she took the piece. She said, she went into the shop, and ask'd if they sold printed linnen; the answer was given, they did not deal in linnen, but only silks and stuffs; and in coming out of the shop she saw this piece of silk lying; she put it under her cardinal, and carried it home, and gave it to her husband. Mr. Fielding not being at home, we carried her to Mr. Sydenham; she confessed the very same there.

Cross Examination.

Q. Were there any promises made to her?

Pell. No, none.

Richard Gunston. The man at the bar brought this 2 yards of silk, and pawn'd it with me in the name of William Saunders (producing it)

Prosecutor. I cannot swear to it, that is impossible, but it is of the same sort as I lost.

Gunston. I heard the woman at the bar confess at the Blakeney's head in Bow street, that she went into Mr. Lucas's shop, and asked if they sold linnen; and they said no; and she saw this rowl of

silk, and she took it and carried it, and gave it her husband.

James Dimock. I am a pawnbroker; (he produced 4 yards of silk) to the best of my knowledge it was the man at the bar that pawn'd this to me.

Prosecutor. It is the same as mine, but I cannot swear positively to it.

Abraham Hitchings. I found this 6 yards of silk (producing it) up the prisoners chimney in their lodging room.

James Lamater. He looks at the pieces of silk, and produc'd some other silk; this I cut from the same piece which I sold to the prosecutors; to the best of my knowledge, I believe, upon comparing them, that these pieces are of the same; I swear I believe it to be the same I sold him.

Susannah Cottell's Defence.

I know nothing at all of it.

Samuel Cottell's Defence.

I bought them goods of a gentleman, I do not know where he is now; the prosecutor promis'd me, if I would confess I should not be brought before the face of a justice.

For the prisoners.

Mrs. Sturt. I have known the prisoners many years; they kept a house 10 or 12 years ago when I knew them at Bristol; he is a Perriwig maker; about 4 months ago they came to my house in the Strand; they told me they were in distress, and said, if they could get a little furniture, they should do pretty well; I sent them to my upholster in Fleet street, and he let them have 26l. worth of goods upon my credit, I had that confidence in their characters; the money was to be paid at 5l. a quarter; they are of a very good family, and have some dependance from them. I thought them good people.

Mr. Lowrey. The prisoners lodg'd 4 months in my house, during that time they behav'd very decently, and very soberly.

Q. Where do you live?

Lowrey. In Round court in the Strand, and they had a shop in Vine street, just by Mr. Mason's; he gave me a bill of sale, so I lost nothing by them.

Susannah Guilty of stealing, but not privately in the shop. Samuel Acquitted.

H h h

225. (M.) *Moses Birch*, was indicted for stealing 6 wooden barrels fill'd with flour, value 38s. the property of William Slade, June 1. †

Wm. Slade. I am a baker, and live in Bethnal green; I know nothing of my own knowledge against the prisoner, John Burnet can inform the court as to particulars.

John Burnet. I am a corn dealer and lighter-man; I sent a barge down, in order to fetch some flour from a mill. On the first of June, we brought the barge to the ship, and left it there, in order to work it on the next day. Then I sent my servant there; he return'd, and told me he miss'd 6 barrels of meal; we went out, and found the prisoner at the bar a washing his boat (he is a waterman) this was on the Monday morning, after he had sunk her in order to wash her; yet there were some stains of flour upon her. We took him in custody. I said you are a villain, you have robb'd me of 6 barrels of flour, tell me where it is; at last he told us it was at his house; we went and found it there, and weigh'd it, there were 900 and odd weight of it.

Q. Whose meal was it?

Burnet. The property of William Slade. I was employed as his waterman; it was a particular order, only 3 bushels and a half in a barrel. The prisoner had taken out the heads of the barrels that had the brand marks on them, but I knew the barrels.

James Hays. I loaded this vessel on the 31st of May, about 2 in the afternoon, and came to London with them on Sunday the 1st of June. I went down on the Monday morning, and found there were 6 barrels missing; then I came and told my master; we went down to enquire of people about Ratcliff Crofs; we found the prisoner washing his boat, with some stains of flour on it; we charg'd him with taking the 6 barrels out of the barge; he own'd he had taken them, and brought them on shore, and that they were at his house. My master went to his house, but I did not, when I saw the vessels heads with the name W. Slade were taken away, but I believe the vessels to be the same we lost.

Prisoner's Defence.

On that Sunday I had been to Greenwich with a fair; staying there some time we drank pretty plentifully; I got a good deal in liquor, and lay

down instead of stowing my boat; 3 men came, and bid me to carry them on board that barge; one of them jump'd into the lighter, then the other, and then the other. I said, for God's sake, what are you going to do; one drew a cutlass from under his coat, and swore I was a dead man if I spoke a word; they took out 6 casks, and I was to have half a guinea to let them be at my house; I thought they might belong to the lighter-man; this was in the dead of the night, so that I have no witnesses.

For the prisoner.

Anthony Nicholls. I am a block-maker; I have known the prisoner ever since he was a child.

Q. What is his general character?

A. Nicholls. I never heard any thing amiss of him till this; he was at my house the evening before this happened.

Q. How long did he stay?

A. Nicholls. He did not stay above 20 minutes.

Q. What time did he go away?

A. Nicholls. About 9 in the evening.

Edward Nicholls. I am brother to the last witness.

Q. What are you?

E. Nicholls. I am a river pilot; I have known the prisoner ever since he was born.

Q. What is his general character?

E. Nicholls. I never knew any thing amiss of him.

Q. Do you know where he was that Sunday night?

E. Nicholls. No, I do not.

Samuel Grimes. I am a waterman, I have known him ever since he was a child.

Q. What has been his behaviour?

Grimes. I know nothing bad of him before this fact happened.

Q. Do you know where he was on Sunday the 1st of June?

Grimes. No.

Guilty.

226. (M.) *Thomas Perry*, was indicted for stealing one silk purse, value 12d. and 30 guineas, the property of the right honourable George Earle of Pomfret, May 28. ||

William Tebay. I live in Mount street, just by my Lord Pomfret.

Q. What are you ?

Tebay. I am a stable keeper, and I am a constable ; I think it was about the beginning of June I was desired by my Lord Pomfret to take the prisoner into custody ; I went to my Lord's house, and took him up ; he was a servant there.

Q. In what capacity ?

Tebay. I do not know ; my Lord said the prisoner had taken a purse of money out of his room.

Q. Was my Lord present when you took the prisoner in custody ?

Tebay. He was ; my Lord mention'd what the sum was, but that I cannot be certain to.

Q. What said the prisoner ?

Tebay. He denied it at first ; I told him he had better own it ; then he went along with me to where he had conceal'd it ; I followed him to a little place where my Lord's horses stand ; he went up into a loft, and upon an old ceiling he look'd about, and put his hand up to within 2 or 3 tyles of the ridge tyle into a little hole, and pull'd out a purse of gold, and gave it to me ; I took and brought it to my Lord ; my Lord told the money, as near as I can guess there were 29 or 30 guineas. I believe 30.

Q. What did the prisoner say when he took them out of the tiling ?

Tebay. I asked him how he came by it, and where ; he said he took it, in order to take care of it, till my Lord came home, and that he took it out of my Lord's room from off a chair.

Q. Did he tell you what day it was ?

Tebay. No.

Q. Did he say how long he had had it in his possession ?

Tebay. No.

Q. Do you know whether my Lord had been out of town at that time ?

Tebay. No, I do not know that.

Q. Was the boy with you when you delivered it to my Lord ?

Tebay. He was.

Q. Did my Lord ask him any questions ?

Tebay. I believe he did, but I can't repeat the words.

Q. What did the boy say ?

Tebay. Then he said he was sorry that he had done it, but he did intend to give it my Lord again, or to that purpose.

William Barnes. I am servant to my Lord Pomfret, I saw the prisoner go along with the constable to show him where the money was.

Q. In what capacity are you servant to my Lord ?

Barnes. I am groom.

Q. What was the prisoner ?

Barnes. He went on errands.

Q. How long had he been there ?

Barnes. About 3 months.

Q. How came he to be suspected ?

Barnes. I do not know. I think it was because all the other servants had been examined, and he was the last ; he was not in the way when they were examined, and he was the first that went into the room, after my Lord was gone, to take the things away, between 11 and 12.

Q. What room was it ?

Barnes. It was my Lord's dressing room ; I saw him come down again with the constable.

Prisoner's Defence.

I took the money out of the chair, with an intention to give it to his Lordship when he came home again ; and when my Lord came home I went to water the horses, and forgot it.

For the Prisoner.

James Bradshaw. I have known the prisoner 14 or 15 years, ever since he was born, he comes from Tofter.

Q. How old is he ?

Bradshaw. He is about 15 years old.

Q. Where did he live before he came to live with my Lord ?

Bradshaw. He lived with Mr. Davis at Tofter better than a year ; he is a nephew of mine.

Q. What is his character ?

Bradshaw. I never heard any thing of him but that of a good character.

William Reeve. I have known him ever since he was born.

Q. What has been his character ?

Reeve. I never knew otherwise but that he had a very good character, for whatever I heard.

Guilty.

After the verdict my Lord Pomfret spoke to this purport.

In consideration of the prisoner's youth, and the first time he has committed a crime of this sort, and always bore a good character before, and his

his parents people of very honest character, I hope the court will think well to inflict a light punishment on him, and send him to sea, his uncle is in court, and will take care of him.

He received sentence to be branded in the hand, and was branded immediately.

227. (M.) Sarah Whiteman, widow, was indicted for stealing one silver quart mugg, value 6l. the property of John Chant, May 28: ||

John Chant. I live at the Jane Shore in Shoreditch, a public house; on the 27th of May, the prisoner was drinking in my house at night.

Q. Did you know her before?

Chant. I had seen her backward and forward for a month or 2; there were 4 or 5 people drinking along with her in the same company.

Q. Men or women?

Chant. Some men and some women; they went away about 11 at night,

Q. What did they drink out of?

Chant. They drank out of a silver quart mugg; I mis'd the mugg as soon as they were gone.

Q. When you let people drink out of silver, do you not look about to see whether all are safe before they go?

Chant. I was then busy in shutting up the windows.

Q. Did they all go away together?

Chant. They did; I searched about that night but could not find it; the next morning I sent for some of those people that were drinking with the prisoner; they all denied it, they were neighbours, some of them lived in Newin yard.

Q. Did you know where the prisoner liv'd?

Chant. No, I did not; then I went to the constable, and told him of it; he said, send for them all together, and I'll examine them, to see if they will any of them confess. While I was gone, my wife told it to Mr. Nichols, and he met with the prisoner by accident; he can give a farther account.

John Nichols. I live in Shoreditch, facing the prosecutor.

Q. What are you?

Nichols. I am a weaver; I went over for a pennyworth of beer at the prosecutor's as usual, the prosecutor's spouse was saying she had lost a silver mugg, mentioning who had been there; I said,

I knew where the prisoner lived; I went to see for her, and I met her in the street, and asked her if she would drink, and took her in at the house of Mr. Buckmaster, a baker. She there said she wanted to go to the vault; the maid went along with her; the maid came and said she heard something drop into the vault; we went and searched, and found the silver mugg there.

Q. What time was this?

Nichols. This was between 2 and 3 in the afternoon.

Q. What did the prisoner say upon its being found?

Nichols. I never heard her say a word about it.

William Bos. I have known the prisoner almost a year. On the 29th of May I went along with Mr. Nichols, in order to find the prisoner, and we met with her in the street; we asked her to go and take part of a tankard of beer; she made an excuse to go in at a baker's shop, to get a halfpenny worth of bread; saying, she could not drink without eating first; when we were there, she asked to go backwards to the vault. Mr. Nichols and I both staid at the door; we were afraid she would give us the slip, and go out backwards; the maid went with her; she came running to us, and told us something dropp'd from her; then we went, and searched, and I took the mugg out of the vault. Then we took her back to the prosecutor's house; he charged her with taking the mugg, and before justice Welch, I heard her confess she took it. The justice asked her what she was going to do with the mugg. She said, she was going to carry it home with some beer in it.

Mary Carey. I live with Mr. George Buckmaster, a baker; the prisoner, and the two last witnesses, came to my master's house; she came in to buy some bread, it was about 2 o'clock in the day, I can't tell the day; I was in the kitchen, joining almost the shop; the prisoner asked me for a halfpenny worth of bread; my master serv'd her; then she asked to go backwards to make water; my master answered, give you a little water, he thought she wanted some water; she said no, sir, to make water: then he said to her, ask the maid; then he call'd me to him, and said, go backwards with this woman; I ask'd for what; he said, she wanted to make water. I said, there were more places to make water in than coming just there. I went with her to the necessary house; I opened the door, and bid her go in; then I turn'd

turn'd my back, and came up to the entry door; then I turned again and saw the door was shut; I thought it was very odd, I went and opened the door, and said the must not shut it, because it would kill the chickens, if they did; when I opened it, she was standing up with her face towards the vault; I saw her in great distress, something fell from her. I thought it was a child. I saw nothing; I said you have put something down the vault; she said I have not; then I said you have? and I call'd for some help; they did not hear me; then I went to Mr. Nichols; and said here is a woman that has put something down the vault, I fear it is a child, and will be smothered; he said, no, it is not a child, do not let her go away backwards; they went and took up the silver mugg out of the vault, there were something tied about it. (*produced in court, and deposed to*)

Prisoner's Defence.

I know nothing of it.

For the Prisoner.

Mary Linnet. I live in Spread Eagle court, Shoreditch, I wind silk.

Q. How long have you liv'd there?

M. Linnet. 20 years; I have known the prisoner about 12 months; she went to see my husband when he was in the hospital; she brought things from him home very honestly, and very just, I never heard any harm of her.

John Stevens. I live in Shoreditch; I am a weaver by trade, I have known the prisoner about 11 years.

Q. What is her general character?

Stevens. An honest, poor, industrious woman; she sometimes winds silk, and sometimes works in the loom with me.

Mary Cook. I have known her 12 years.

Q. What has been her behaviour?

M. Cook. I never knew any ill by her in my life before this; I have been with her day and night.

Elizabeth Rowley. I have known her 6 or 7 years, she always bore a very good character; I never heard otherwise in my life.

Elizabeth Hill. I have known her 3 months before Christmas; I never heard any ill of her; she work'd hard for her living.

Andrew Bovine. I have known her about 4 or 5 months; she came to work with me as a stranger about 10 weeks ago.

Q. What are you?

Bovine. I am a weaver; she behav'd very honest and soberly, I have left her with the care of my house in our absence, and never mis'd any thing. Guilty.

228. (L.) *John Carver*, was indicted for taking a false oath before Dr. Ducarrel, in the prerogative court of Canterbury; swearing that he was half brother to Wm. Barry, deceased; and that he died without any nearer relations, in order, by means of an administration, to obtain money due to him on board his majesty's ship the Salisbury, Feb. 29.

Richard Moxey. I belong to the Navy office.

Q. In what capacity?

Moxey. I am a messenger; in Feb. last, towards the latter end, the prisoner came to me, and one Walter Poor along with him; they said they came from Mr. Holding, an acquaintance of mine, and that Mr. Holding would be much oblig'd to me, if I would put the prisoner in the readiest way I could to receive his brother's wages, and Prize money, who was dead on board the Salisbury in the East Indies: he said his brother's name was Wm. Barry, and that he had a letter, acquainting him of his brother's death. I ask'd him in what manner I could be of any service to him; he said, by enquiring what wages and prize money was due to him, that he might administer accordingly. As I knew Mr. Dixon, who was agent, and paid the prize money for that ship; I think it was on the next day that I went to Mr. Dixon, and found him at home; I ask'd him, if he would be kind enough to let me know what prize money might be due to Wm. Barry of the Salisbury. He gave me an account of 3 different sums, which amounted in the whole to 541. 9s. then, for the time he had been on board the man of war, I knew the wages and prize money would amount to upwards of 60l. I then told them they must administer for upper value, that is, to exceed 60l. I saw no more of them after this for some days; then they came and brought an administration, and desired I would apply to Mr. Dixon to receive this prize money, as an agent for the prisoner, to receive the prize money only. I think this was but a or

I i i

3 days

3 days before the day to pay the prize money came on, according to the public advertisement. On the day of payment they both came again, that was the 6th of March, saying, there was a great mob about Mr. Dixon's door, and they were afraid they should not be able to come near it. I told them, I should be at the Navy office by 10 o'clock, and if I could be of any service to them, knowing some of Mr. Dixon's clerks, I would endeavour to get the money for them.

Q. Which of them spoke to you about it?

Moxey. They both did, but Walter Poor said the most, this seem'd very ignorant, the other understood, and seem'd to conduct the whole affair. When I came to the Navy office, I found them both waiting for me there; there was a great throng about the house, so that I did not know how to come at the door; then the prisoner at the bar took the administration from his bosom, and deliver'd it to me, and desir'd I would receive the money, and he would make me a gratuity. I went in, and receiv'd 54l. 9s. and sign'd my name Richard Moxey for John Carver, administrator to his book; and I believe in less than half an hour I paid it to the prisoner at the bar, and took his receipt for the same (*producing it*) it is read.

Receiv'd the 6th of March, 1760, of Richard Moxey, 54l. 9s. being the prize money he received of William Barry's of the Salisbury, for John Carver, I say received by me,

John Carver.

I wrote the body of it, and he sign'd it; and I gave the money and administration to the prisoner at the bar.

Q. Who was administrator in the administration to Wm. Barry?

Moxey. John Carver was, here is the warrant upon which the administration was granted (*producing it*.) The prisoner dropp'd a guinea into my hand, and said, will that satisfy you? I said yes; he said, you have been of great service to me, and gave me another.

Q. Did you go with them to take out the administration?

Moxey. No, I did not.

Q. *from prisoner*. Whether I apply'd to you, or was it Walter Poor?

Moxey. It was Walter Poor; I believe he was the sole transactor of this affair, and the prisoner was guided by him; the prisoner in every respect

behaved as much like a stranger in it as any body could do, and Walter Poor quite otherwise.

James Dixon. I never saw the prisoner at the bar till last Sessions.

Q. Do you know of any application made to you for the payment of money by Mr. Moxey?

Dixon. Yes, I do; it was on the 6th of March I paid him 3 payments for John Carver, administrator for Wm. Barry.

	£.	s.	d.
One for the taking Shandanagore,	9	3	6
Another for taking Goree,	1	16	6
And the Nabob of Bengall's gift,	43	9	0

The total 54 9 0

Q. Do you know any thing about the death of Wm. Barry?

Dixon. When the books come home, we have them examin'd at the Navy office, to see what men are dead; and the dead men are paid by administration, and the living by letter of attorney.

Q. Did you make any difficulty of paying the money?

Dixon. I do not remember I did; I remember 2 or 3 days after, when Mr. Moxey came, I bid him take care how he brought himself into a scrape; I think he said he would have nothing more to do with them.

Jos. Robins. I was apply'd to by Mr. Farrer's clerk, named Jones, to attend for Mr. Farrer as proctor for him. I attended with Mr. Jones at Doctors Commons before Dr. Ducarrel, with a man.

Q. Look at the prisoner, do you know him?

Robins. I cannot be certain to him, I never saw him only last sessions and now; since, if it is he, I went with a person there, and he swore himself brother by the half blood to the deceased, and by that means obtained letters of administration; I was present, and attested it as a notary public.

Q. Look upon this.

Robins. (*He takes a writing in his hand*) This is my attestation, and here is Dr. Ducarrel's hand writing (*pointing to it*.)

Wm. Jones. I am clerk to Mr. Farrer, a Proctor in the Commons; the prisoner came with 2 women to the office; I ask'd him if the deceased had made a Will; he said no. I ask'd him how near a kin he was to him; he said he was a brother by the half blood, and that he did not know any other kin he had.

Q.

Q. Look at this paper (the warrant)

Wm. Jones. Here is Dr. Ducarrel's hand writing; the prisoner obtain'd the administration of the Doctor, and the Doctor administred the usual oath to him.

Q. Did you know the prisoner before?

Jones. I never saw him before that time.

John Goodwin. I am a subscribing witness to the Execution of the bond.

Q. Who apply'd for the administration of William Barry?

Goodwin. I do not know the person, I do not know the parties that executed the bond; I fill'd up the bond and saw it executed, but I don't know by whom executed, I saw all the parties sign it.

Q. Look about the court, do you see any body here that sign'd it?

Goodwin. No, I do not see any body in court that I can say sign'd it?

Q. Look at the prisoner.

Goodwin. It is impossible to remember who signs these, there comes may be half a score in a day.

Q. Do you believe the prisoner is the man?

Goodwin. I cannot say.

Q. to Jones. Do you believe the prisoner to be the man?

Jones. I can't take upon me to say he is the person, but I believe he is the man.

Mr. Fuller. I am a proctor; on the 1st of March I was absent; on my return I received a note wrote by Wm. Jones, just now examin'd, that a person had apply'd for an administration, one John Carver, to the effects of Wm. Barry, deceas'd, on board the Salisbury.

Q. Did you see that man?

Fuller. No, I never did till last sessions.

Q. Where is Mr. Farrer?

Fuller. He is not here, but he never saw the person.

Thos. Haywood. I was before my lord mayor some time in April last, the prisoner at the bar was brought before him.

Q. What are you?

Haywood. I was clerk for Mr. Callaghan, attorney for the prosecutor. The prisoner was there charg'd with taking a false oath, and by virtue of that receiving 54l. 9s. the proper of Wm. Barry, he said before my lord mayor: my lord ask'd him, if he had been guilty of taking out this false administration; to which he made answer, he had, and hop'd his lordship would forgive him, and that it was the first offence he had done, and he

was an ignorant man. His lordship answer'd, he was oblig'd to commit him.

The charge was for taking a false oath, to obtain a letter of administration, in order to obtain the prize money, due, &c. but there not being sufficient proof of his taking that oath he was Acquitted.

229. (L.) Margaret Edwards, widow, was indicted for making an assault upon William Linton, in her dwelling house, putting him in corporal fear and danger of his life, and taking from his person 3 guineas, his property, and against his will, June 9. †

William Linton. I keep a little house in Long lane; I had been at Knights bridge on the 9th of June, and staid there part of the evening; coming home, just as I came out of Broad St. Giles's, into Holborn, the prisoner at the bar was walking along as I was. Said I, I believe this is my way to Smithfield; said she, I am going that way. Soon after she said, as we walk together let's drink together; said I, that is no way unserviceable; this was near Middle Row; she went to a house, and push'd the door open, and went in; said I this is not a public house, we cannot have a pint of beer here; there was a bed, she took and pushed me cross it, and flung her petticoats over my head, and fell upon me; she put her hand in my pocket, in which were 5 guineas. Said I, this is not having a pint of beer, to rob me of my money; then she got up, and went up one pair of stairs, and came down again; said I, you have robb'd me of 3 guineas (I had felt in my pocket and miss'd them) I got hold of her arm; she kept pulling till she got into the street; I call'd the watchman, he came and took her to the watchhouse.

Q. What time was this?

Linton. I believe it was about 12 o'clock; I had been to pay my rent, and my landlord was not at home; since she has been in custody, several people have come in her name, and offer'd me my money if I would be favourable to her.

Cross Examination.

Q. What day of the week was this?

Linton. It was on Monday the 9th of June.

Q. Had she spoke to you before you did to her?

Linton. I believe I spoke first, but I will not be positive.

Q. Did you ask her to go with you?

Linton. No, I did not; she ask'd me to go and drink a pint of beer together.

Q. Whereabouts in Holborn was this?

Linton. It was just before we came to Middle Row, the turn'd down on the right hand.

Q. When you was before my Lord Mayor, where did you say you had been robb'd?

Linton. I said it was in Magpye alley, I never was there before, nor since.

Q. What money had you in your pocket?

Linton. I had 5 guineas, and 5 shillings in silver; the silver was in the bottom of my pocket, and the gold wrapp'd in a piece of paper.

Q. What room was this bed in?

Linton. As soon as we entered the house, there was a bed on the first floor, on the left hand as I went in.

Q. Had you any conversation with the prisoner in that room?

Linton. I said this is not a public house, you cannot have a pint of beer here; no sooner was the word out of my mouth, but she struck me with a push, and I fell down, and she over me.

Q. From prisoner. Whether you did not ask me to lie down upon the bed?

Linton. Upon my oath I did not.

Q. Did not you push her down?

Linton. I never touched her, till I catch'd her hand in my pocket.

Q. Had you made any overtures to her to give her any money?

Linton. No, I had not; she had a very good cardinal on, and I thought her more like a motherly woman than one of that kind.

Q. Were all the 5 guineas wrapp'd up together?

Linton. They were.

Q. Is it possible, she could out of 5 guineas, wrapt in a bit of paper, take 3?

Linton. She broke the paper. At the watchhouse I produced the 2 guineas, and the piece of paper which she had broke through.

Q. What time did you set out from Knights bridge?

Linton. I set out from thence at about 11 o'clock.

Q. When did you put that money in the paper?

Linton. When I was in Grigg street, I call'd on a friend.

Q. Was this woman all you met with in your way?

Linton. I met with several people before I met

with her, but I had no conversation with any of them.

Q. How long was you before you charg'd the prisoner, after you came out of that house in Magpye alley?

Linton. As soon as possible, she came into the street, I call'd, and the watchman came to my assistance.

Q. What did she say, when she took your money?

Linton. Not a word, good not bad, but pushed me down, and put her hand in my pocket.

Q. Was you sober?

Linton. I had been drinking some rum and water, but I was no way at all disguised; this is the paper the money was in (producing a piece of paper that was torne)

Edward Belamy. I am a watchman; the clock was ready to strike one when I heard the prosecutor call watch; I was in Castle yard; Magpye alley is infested with such people as this is. I have seen her frequently about on nights; I saw the man and woman standing at the Castle door together, I went and took her to the constable of the night; the prosecutor charg'd her with picking his pocket of 3 guineas; he show'd us the torne paper and the 2 guineas at the watchhouse.

Q. What did the woman say?

Belamy. She said nothing to me, nor I to her.

Prisoner's Defence.

I had been in Long acre, and I met this man; he pushed against me 2 or 3 times, and said Betty, if you'll come and lie down I'll give you a shilling; I said go along, or I'll call the watchman; I call'd the watch, he never did; when the watchman came, he said this woman has pick'd my pocket of 3 guineas. I desired to be searched.

Q. to prosecutor. Was the prisoner searched?

Prosecutor. No, she was not.

Prisoner. I gave the watchman charge of the man; I saw a man and woman run down Magpye alley, he was in another woman's house, it was not in mine; I was in no house upon my word and honour; he desired to make it up with me on the last day of June.

Q. to watchman. Did the prisoner give you charge of the prosecutor?

Watchman. No, she did not.

Q. to prosecutor. Are you certain this is the woman?

Prosecutor.

Prosecutor. I am sure of that.

Q. to watchman. How far from her own house did you take her into custody?

Watchman. The very next door to her own.

For the Prisoner.

Esther Connolly. I have known the prisoner about 7 or 8 years; she went to market along with me, and we shared fish together.

Q. What is her character?

E. Connolly. I never knew nothing of her but that of a sober honest woman.

Q. Does she get her living by that now?

E. Connolly. She does, and works very hard for her living.

Elizabeth Salmon. I have known her about 7 years, she lived by selling fish, and sometimes by selling of fruit, according as fruit was; she was always a very hard working woman for her family, always just and honest.

Ann Stunt. I have known her about 4 or 5 years; she sold fish, and sometimes went to Leadenhall market; she was very industrious, and has the character of a honest woman, and always paid her way.

Samuel Stuberfield. I have known her betwixt 6 and 7 years; she gets her living by selling of fish, and so do I; she is very honest as far as ever I knew.

Jane Shoen. I have known her 2 years; I lived servant with her a year, she gave me 52 shillings a year; I have been come away from her 2 months; I went out for her with fish in the winter time, and fruit in the summer; she bears the character of an honest woman, as far as ever I heard or saw; she always bid me go to bed in good hours when I came home, that I might get up in the morning.

Mary M. Coone. I have known her going on 7 years.

Q. What is her character?

M. M. Coone. Her character is selling fruit, and to go to market.

Q. Is she look'd upon to be honest or dishonest?

M. M. Coone. She was always an honest woman, as far as ever I heard; I liv'd with her the same time as this happened.

Acquitted.

230. (M.) William Roberts, was indicted for the wilful murder of Wm. Robertson.

He stood also charg'd on the coroner's inquest for manslaughter, May 7.

John Davidson. I am a chairman, I was at Windfor on the 7th of May last.

Q. What are you?

Davidson. I am a chairman.

Q. How came you to go to Windfor?

Davidson. My Partner Wm. Robertson, the deceased, and I, went there for work at the installation; we were coming from Windfor on the 7th of May, about 8 o'clock in the evening, and about a hundred yards on the other side the 10 mile stone on Hounslow heath, we overtook a tanner's waggon, they had been with leather to Eaton, they were returning empty, we ask'd them to give us a lift.

Q. How many were there of you?

Davidson. There were 4 of us; there were David Tooth, John Lomas, the Deceased and I.

Q. What happened, did you see the prisoner at the bar?

Davidson. I wish I had never seen him; when we had got into the waggon, coming along, we were merry, there was an old woman in the waggon with us; the prisoner overtook us on the other side the way, with a chaise marine, the chaise marine went by us, and as high as I can guess the prisoner was on the left hand side on horseback; he said nothing to us, nor we to him, but he turn'd back again and whipp'd our horses; the waggoner ask'd him what that was for? he turn'd back again a 2d time, and whipp'd the other 2 horses.

Q. Whether at the time he turn'd back and whipp'd your horses, the chaise marine was nearer to Hounslow than your waggon was?

Davidson. Then the chaise marine was pretty near the end of the town, for they ran a full trot.

Q. What distance from you?

Davidson. I can't account within a few yards; we were near the 10 mile stone, and they near the end of the town; the 10 mile stone stands about a 100 yards from the end of the town, I cannot be exact.

Q. Upon his coming back, and striking the other 2 horses, what happened then?

Davidson. Then they ask'd him what that was for; then he whipp'd us with his horsewhip in the waggon.

Q. Did you observe in particular that he whipp'd the deceased?

Davidson. He did not strike at any body in particular, but whipp'd who he could.

K k k

Q.

Q. Who did he whip?

Davidson. He whipp'd me several times.

Q. Did you observe any blow to light upon the deceased?

Davidson. No, I did not, the deceased had a little willow stick in his hand, he shook it at the prisoner, and said he deserv'd to be beat.

Q. Did you keep your eye upon the prisoner?

Davidson. I did.

Q. Did he receive any blow?

Davidson. No, he did not.

Q. Was he within that distance to receive a blow?

Davidson. No, the deceased could not reach him if he would have struck him.

Counsel. Then, if I understand you right, the prisoner could reach the deceased with his whip, but the deceased could not reach the prisoner with his stick.

Davidson. No, the deceased could not reach him, his stick was about 3 feet long, the prisoner had a whip with a lash.

Prisoner. I desire to send for my whip (a messenger goes for it)

Davidson. The prisoner immediately said, if you don't like that take this, and pull'd out his hanger?

Q. What is become of the willow stick?

Davidson. I don't know, we were glad to make away to save our lives; we let alone the stick, the prisoner made a stroke at the deceased at the tail of the waggon with his hanger, and the deceased had a cut over his right-eye, but whether he receiv'd it at that blow I can't take upon me to say.

Q. Was that a fresh cut?

Davidson. It was a fresh cut, and the blood ran down his cheek.

Q. Was there not a wound there before?

Davidson. No.

Q. Was you with him all that day before?

Davidson. I was; the deceased either tumbled or jump'd out of the waggon then, I can't say which.

Q. Was he sitting or standing?

Davidson. He stood up an end then, he had been sitting before at the tail of the waggon, by the means of either falling or jumping he was down on his backside in the road; and as he was rising up, the prisoner at the bar came with his hanger and made a stroke at him; the deceased seeing it coming over his head, he held up his right hand to save the blow, to defend his head;

I heard the blow, and heard the bone crack, I was by the side of him at the same time he received it, the blow was given with great force indeed.

Q. Where did the blow fall?

Davidson. It fell cross his wrist (he show'd the place on his own hand, about 8 or 9 inches from his knuckles)

Q. Whether you apprehend, if he had not held up his hand in that position the blow would have fell on his head?

Davidson. It must, it could not be avoided.

Q. What was done after this?

Davidson. The deceased clapp'd his left hand under his right hand, and said, *Lord have mercy upon me, he has chopp'd my hand off.*

Q. After this, did you endeavour to give this man any assistance?

Davidson. He dropp'd down, I was stooping to take him up, the prisoner came and made a cut at me, and cut my coat cross my back with his hanger (he show'd a chairman's blue coat, with a small mark on it) I stoop'd down, and he could not reach me; the deceased bled excessively, we brought him to Hounslow.

Q. How did you bring him?

Davidson. We led and guided him along, he was able to walk, we had not above a hundred yards to go; there were 2 surgeons, one that liv'd in the town, and another that belong'd to the regiment that lay there; they stopp'd the bleeding; then we took a post chaise for him, and I came with him to London.

Q. How was he all the way he came?

Davidson. He was very sick, he complain'd he was very sick. I brought him to Hyde Park corner, he could not bare going over the stones; then I got a chair, and brought him home to his own apartment, at a butcher's shop at the upper end of Old Bond street.

Q. Did you see him after this?

Davidson. I did, he once thought himself better, but he grew worse at last, and died the 18th of May, about 20 minutes past 12 at mid-day, I was with him when he died.

Q. After this blow was given, did the prisoner declare any thing what he would do in case any body offer'd to take him?

Davidson. At the Rose at Hounslow he dismounted his horse, and there is a little room on the right hand, he got into that, and with his hanger drawn in his right hand, lying over his left hand, he stood in the doorway, and said, if any

any body came there to disturb him, he would cut their ears off, and make bakers of them: we took him, and carry'd him before a justice of the peace.

Q. What did he do after the wound was given?

Davidson. He made all the way he cou'd to the town of Hounslow, he rode as fast as he could, he was pursued with the cry stop thief; the woman at the 5 bells said, what is the matter; I said, he has chopp'd a man's hand off.

Q. Where was he taken?

Davidson. He was taken at Mr. Fuller's, at the Rose at Hounslow.

Q. Was you before the justice with him?

Davidson. I was.

Q. What did he say there?

Davidson. He said, pray Sir do you know who I am. No really, said the justice, I don't know who you are. Said he, I am groom of the chamber to the right honourable secretary Pitt.

Cross Examination.

Q. Was there any driver to this waggon?

Davidson. The drivers were in the waggon.

Q. How were the horses going?

Davidson. They were going quietly along.

Q. Were the horses led by any body?

Davidson. No, there were nobody but what were in the waggon.

Q. How many drivers were there?

Davidson. There were 2.

Counsel. And both in the Waggon?

Davidson. Yes.

Q. Was they at the tail of the waggon, or fore part?

Davidson. They were at the fore part, speaking to their horses.

Q. At the time Mr. Roberts came by, was there or was there not any body conducting the waggon?

Davidson. There was not, they were in the waggon.

Q. Was the waggon in the middle, or on one side the road?

Davidson. On one side the road.

Q. When the chaise past you, was the waggon in the middle or on one side?

Davidson. It was on the left hand side the road, leaving room for the chaise, and 2 chaises more to pass.

Q. Where was the chaise marine when the prisoner spoke to you?

Davidson. That was gone by us before he spoke any thing to us.

Q. Did the waggoner drive up, in order to overtake the chaise, or not?

Davidson. No, not to my knowledge; no not at that time before the wound was given.

Q. When the chaise had overtaken the waggon, did the waggon overtake the chaise again?

Davidson. No, sir, not at all.

Counsel. I would be very glad to know how this was introduced; whether by any provocation or not, that the prisoner was riding on the left hand side the chaise, and past you, and nothing was said, but the prisoner, without any thing having been said, turn'd back, and whipp'd your horses. Can you assign any reason at all for it, why he should turn back and whip your horses, if the chaise had clearly past you?

Davidson. There was no reason at all why he should turn back and whip our horses, nothing had been said, and the prisoner had past us.

Counsel. Nothing had been said from the waggoner to him?

Davidson. No, not a word.

Counsel. I am answered. You say, after the chaise past you, and were got a hundred yards before you, there were some words past, what words were they?

Davidson. I can't tell.

Counsel. Angry words?

Davidson. They were not very pleasant words.

Q. In what nature were these words?

Davidson. It seem'd as if it was in a passion.

Q. Where was the deceased then?

Davidson. He was then laid down.

Q. Were there angry words on both sides?

Davidson. My partner, the deceased, or some body else, said to him that he deserved licking for it.

Q. Before he whipp'd you in the waggon, were there angry words past?

Davidson. Yes, after he had whipp'd the horses a second time.

Q. What were these words, were they hard names?

Davidson. I don't know what you call hard names.

Q. Are you sure the whip had a thong to it?

Davidson. I am sure it had.

Q. How long was it?

Davidson. I can't tell the length of it.

Q. How long was the willow stick?

David-

Davidson. That was about 3 feet long.

Q. How thick ?

Davidson. About as thick as my finger.

Q. Had any one in the waggon a stick besides ?

Davidson. No, nobody.

Q. This man being your partner, how was his left hand ?

Davidson. His left hand was a little lamish by a hurt he had ; he had not the use of his fingers so well as a great many people, but he could close them well enough to get his bread.

Q. Could he grasp a stick ?

Davidson. Really I cannot tell whether he could or not.

Q. Did you ever see him grasp any thing in that hand ?

Davidson. I cannot tell.

Q. Did you observe his wound over his eye bleed before he came out of the waggon ?

Davidson. I did not see that wound till I came to take him up.

Counsel. Then you did not see that wound in the waggon ?

Davidson. No, whether he received it before or after he came out of the waggon I cannot say. I did not observe the blood run down his cheek till I came to take him up when he was out of the waggon.

Q. Whether the deceased was on his legs in the waggon ?

Davidson. He was lying in the waggon at first, but he was on his legs when he came out ; but whether he jump'd or tumbled out I can't say.

Q. How long had he been on his legs ?

Davidson. I can't say how long.

Counsel. Then he might have been on his legs 5 or 6 minutes.

Davidson. No, no.

Q. Was he on his legs at the time of shaking his stick at the prisoner ?

Davidson. I can't say whether he was or not.

Q. Was one of the waggoners in a white coat ?

Davidson. Upon my life I can't tell what cloaths he had on.

Court. You are upon your oath ?

Davidson. Upon my oath I cannot.

Q. What cloaths had the deceased on ?

Davidson. He had a chairman's green coat on.

Counsel. You just now described to the court, by showing in what manner he held his hand at the time he receiv'd the blow, do that once more ?

Davidson. He held his right hand from the elbow

very near upright, he holds his right hand up just so, it was not a pitch'd guard.

Q. Did the prisoner strike at the head by the manner of the blow ?

Davidson. I really believe it was designed for the head, or any where where he could hit.

Q. What leads you to say, if the deceased had not held up his hand, the blow would have fallen on his head ?

Davidson. Because it fell so nigh his head.

Q. Describe then where the wound was ?

Davidson. It was over here, putting his finger toward the inside of his wrist.

Q. How then, as he held his hand, could the wound be there ?

Davidson. Because he was on horse back.

Q. How could he receive the blow on the inside the hand ?

Davidson. The blow came over the head.

Q. On what side was the prisoner's horse at the time of the blow ?

Davidson. The prisoner's horse was on the deceased's right hand, he was on horse back, my partner was on the prisoner's right hand side.

Q. Now again say how that was ; if he held his hand in the way you describe, how could a man prevent the blow from falling on the head by holding his hand so ?

Davidson. The wound was there.

Q. Did he hold his hand in such sort, that if it had not been held up the blow would have fell upon his head ?

Davidson. Yes ; I told you so before, it was held to guard the head.

Q. Did you see any dirt, stones or pebbles thrown ?

Davidson. Yes, sir, I did.

Q. How came they to be thrown ?

Davidson. I do not know which of them throw'd them, it was gravel, they were upon the ground then, it was thrown by those belonging to the waggon, I can't give an account of it.

Q. Did you see any stones or gravel thrown ?

Davidson. I did.

Q. Can't you say by who ?

Davidson. It was by the people belonging to the waggon, and our company, they had not time to look for any pick stones, for he was for riding over them, they picked up the gravel in the road.

Note, The Remainder of these Proceedings will be published in a few Days.

THE *Duplicate*
P R O C E E D I N G S

ON THE

King's Commissioners of the Peace, Oyer, and Terminer, and Gaol Delivery

FOR THE

CITY of L O N D O N,

And also the Gaol Delivery for the

County of M I D D L E S E X,

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Wednesday* the 9th, *Thursday* the 10th, and *Friday* the 11th, of JULY,

In the Thirty-third Year of His MAJESTY's Reign.

N U M B E R VI. P A R T II. for the YEAR 1760.

Being the Sixth SESSIONS in the MAYORALTY of

The Right Hon^{ble} Sir Thomas CHITTY, Knt.

LORD-MAYOR of the CITY of L O N D O N.

L O N D O N:

Printed, and sold by G. KEARSLEY (Successor to the late Mr. Robinson)
at the *Golden-Lion*, in *Ludgate-Street*, 1760.

[Price Four-pence.]

THE P R O C E E D I N G S O N T H E

King's Commissions of the Peace, and Oyer and Terminer, for the City of LONDON, and at the General Sessions of Gaol Delivery for *Newgate*, holden for the City of LONDON, and County of MIDDLESEX, at *Justice-Hall* in the *Old-Bailey*, &c.

Q **W** A S this before or after the wound given?

Davidson. This was after the wound given.

Q Had neither of you stones till after the wound?

Davidson. No, nor stick neither, but that willow stick; I saw none thrown till after the wound.

Q Must you have seen it if any had been thrown?

Davidson. I must, but I saw none thrown before.

Q Did the deceased, your partner, continue holding the stick in his hand after he got out of the waggon?

Davidson. No, he was not long upon the ground before he receiv'd that cut.

Q Do you, or do you not remember seeing him with the stick in his hand after he was out of the waggon?

Davidson. I don't remember that I did.

Q Did any body hit the prisoner?

Davidson. No, there were nobody at all did.

Counsel. Nōr no stones thrown till after the wound?

Davidson. No.

Q How did you pursue the prisoner on foot?

Davidson. We were all on foot, we had no horses to ride.

Q Did he stop at Hounslow?

Davidson. He did.

Q Was it by force?

Davidson. I don't know whether it was or not; he was pursued into the town, and we alarmed the town.

Q How long after you got into the town that you saw him?

Davidson. I saw him in the little room.

Q Where was his horse?

Davidson. His horse was in the stable.

Q Who paid for the chaise?

Davidson. He did.

Q Did he or did he not behave with humanity towards the deceased, and express his sorrow for what had happened?

Davidson. No sir, I did not see any such thing.

Q How came the deceased to be carried home?

Davidson. He said he desired to go to his own being, as he had a wife to nurse him, and I carried him there.

David Tooth. I was one of the company; at the time I had been at Windsor, and was coming back, we had been to the installation, to carry any gentleman that wanted a chair; we were coming along about 200 yards beyond the 10 miles stone on Hounslow Heath, on the 7th of May, about 8 in the evening, we overtook this Waggon, and ask'd the waggoner to let us ride towards London; he gave us leave, and said with all his heart; we all got up in the waggon.

Q How many were there of you?

Tooth. There were 4 chairmen of us, 2 waggoners, and a woman, 7 in all; we had not been in the waggon a quarter of an hour before we were overtaken by the prisoner.

Q Which side of the road was the waggon on at that time?

Tooth. The waggon was on the left side of the road, there was room for 3 or 4 carriages to go along on the other side the way without any interruption at all; the prisoner rode by the waggon, and struck the foremost horse with his whip; he left the waggon on the left hand; he was on the right of the chaise and the left of the waggon; after he had struck the fore horse he rode on, and rode a little way; the waggoner call'd him 3 or 4 names, and said, what business had you to do so, he

he might swear, but that I cannot say; he returned back immediately and cut the horses 3 or 4 times, till the horses went out of the road; we were all afraid at that time, that the horses would turn the waggon over in the ditch.

Q. What were the words?

Tooth. They were, as near as I can guess, what business have you to meddle with the horses.

Q. Who spoke them?

Tooth. The waggoner spoke them; he rode up and flourished his whip, he struck at us in the waggon, but whether he hit any body I don't know; and directly said, if this will not do you shall have something here that will do for you; then he clasp'd his hand to his side and drew his hanger; I am not certain whether he drew his hanger before the deceased got out of the waggon; neither am I certain whether he jump'd out or fell out; he was sitting in the tail of the waggon directly when he got out with a little willow stick in his hand about 3 foot long, I saw it in his hand when he got out of the waggon; he went up to the prisoner, and as he had struck at every body, there was a sort of a scuffle between them.

Q. Explain what you mean by that scuffle?

Tooth. They seem'd to be striking at one another, one with the hanger the other with the stick.

Q. Did you see the stick in motion?

Tooth. I saw the stick come, but whether he struck the prisoner I don't know.

Q. Was that before he drew his hanger, or afterwards?

Tooth. His hanger was drawn then.

Q. Whether or not the prisoner had struck the deceased with his hanger before you observed the deceased to complain?

Tooth. Within a few minutes I heard him cry out my hand is off; there were 2 or 3 blows past between them before I heard the cry, O, he has cut my hand off.

Q. Can you say, that either of them blows light upon either of them?

Tooth. I did not see a blow light upon either.

Q. Can you take upon you to say, that the deceased had struck the prisoner before he receiv'd the blow given by the hanger?

Tooth. I cannot.

Q. Was the hanger drawn or not drawn when you saw the stick lifted up?

Tooth. Before the stick was lifted up I saw the hanger drawn.

Q. Had he made any blow at the deceased before such time he lifted up the stick?

Tooth. I do not know that he had, he had waved his hanger before that.

Q. What do you imagine that was for?

Tooth. I imagine in order to save himself.

Q. Why?

Tooth. Because the man got out of the waggon, and went up to him; the deceased had a stick in his hand, and might strike at him; but I did not see it hit him; after the wound was given we got out of the waggon directly, except the woman, I don't know whether she got out or no; when I got out of the waggon I saw the deceased's hand, the wrist was quite full of blood, it bled vastly; we pursued him, and call'd stop thief, and run all the way to Hounslow as fast as we could, and he stood at the Rose and Crown gate; the waggoner that belong'd to the waggon saw him first; he said, that is the man, I'll take my oath of it. Directly I made answer, as soon as I saw him, come all away, for fear of mischief, I know him, he lives with Mr. Secretary Pitt; then directly he made an offer to run after me, with his hanger, because I knew him; I run away from him, and glad enough I was, or else he would have given me a slash; we went and got a couple of constables, and took him before a magistrate.

Cross Examination.

Q. At the time Mr. Roberts whipp'd the horses at first, was the chaise marine gone by?

Tooth. The chaise was gone by.

Q. Did the waggoners speak to their horses, to encourage their horses to go on?

Tooth. Not a word as I heard.

Q. When the deceased got out of the waggon, what distance was it from the prisoner?

Tooth. 4 or 5 yards.

Q. Did he go up to Roberts, or Roberts come to him?

Tooth. He went up to Roberts, I suppose he was angry.

Q. Who went out of the waggon with him?

Tooth. His partner followed him directly.

Q. Who was his partner?

Tooth. That is Davidson.

Q. What colour was the waggoner's coat?

Tooth. He had a light colour'd coat on.

Q. Had any body a stick in their hands besides the deceased?

Tooth. No, nobody.

Q. Did you see his stick move up and down?

Tooth. I did.

Q. Did you see him strike?

Tooth. I imagine he must strike, I saw it in motion.

Q. Can you recollect how often you saw it in motion?

Tooth. May be 2 or 3 motions, I can't say, that was all the defence he had against the hanger.

Q. Did he immediately go up to Mr. Roberts, as soon as he got out of the waggon.

Tooth. He did.

Q. Where was the prisoner?

Tooth. He was then sitting on horseback, they soon got together, they were not far apart.

Q. Do you remember any stones thrown?

Tooth. I did not see it; the waggoner throw'd stones, that was all the defence he had, or he would have been cut in two.

Q. How soon after the deceased got out of the waggon that the waggoner got out?

Tooth. I am not certain, whether it was before the wound was given, I think he did.

Q. Was there any gravel thrown at the prisoner before the wound was given?

Tooth. No, nothing in the world.

Q. Where was you when the wound was given?

Tooth. I was in the waggon.

Q. What was done after the wound given?

Tooth. The prisoner rode away directly after that.

Q. Was he dirty at all?

Tooth. His face was very dirty, and his cloaths spotted with dirt, by people throwing at him to save themselves.

Q. Where was you when he rode away?

Tooth. I did not get out of the waggon till after he rode away.

Q. How soon after he rode away?

Tooth. It might not be half a minute after, he rode away as fast as he could, and we call'd stop thief.

Q. Where did you see him afterwards?

Tooth. I saw him at the Rose and Crown in Hounslow, standing in the gateway.

Q. What open to the public road where carriages come in?

Tooth. Yes.

Q. Did any horsemen pursue him?

Tooth. No, there were no horsemen; there was a man offered a guinea for a horse to pursue him to London.

Q. Who was he?

Tooth. His name is Lomas.

Q. Was the prisoner then in custody, or not?

Tooth. He was not in the custody of any body,

till we got the constables to take him, none of us dare go near him.

Counsil. Then from what appear'd to you, he might have rode straight to London, and escap'd?

Tooth. Yes, he might. We all went before justice Bullstrode at Hounslow; the justice enquired, and sent for a surgeon, the surgeon of the regiment, and surgeon of the town, they both dress'd the wound; he said, please your worship let me go to London to-night, I have a great deal of business upon me. The justice said I cannot, if it was Mr. Pitt himself; he order'd us to sit up with the prisoner all night long, and search him. When he was in the gateway he said to a chairman, I wish I had had a pistol, I would have shot you. What for, said I; for his insolence, said he; what, said I, because people have not so much wit as you, you call them insolent.

Q. What was that chairman's name?

Tooth. It is John Lomas.

Q. How long had the deceased been on his legs in the waggon before he got out of it?

Tooth. I was sitting by the woman playing the rogue, and did not take notice; I did not see him on his legs at all, I was looking more after the prisoner.

Q. Had the deceased a stick in his hand in the waggon?

Tooth. He had.

Q. Did you see him shake it while in the waggon?

Tooth. No, I did not.

Q. Did you take notice of the whip the prisoner had in his hand?

Tooth. To the best of my remembrance it was a short lash'd whip, I believe it was, I am not certain, I did not apprehend it had a thong to it; you will find it a straight whip when it comes.

Q. Was it longer than the stick?

Tooth. I did not measure them, I don't know.

Counsil. You say, when you came to Hounslow none of you dare to take him.

Tooth. Because he had a hanger drawn in his hand within the door, that was the reason we took the constables.

Q. Was the hanger drawn when they came?

Tooth. Yes, and he oppos'd at first, and afterwards said, let me have the constable I'll surrender, and he surrender'd himself directly; we did not dare to go within 10 yards of him hardly; he said to one of the constables, come here I'll cut your ears off, and make a baker of you; but afterwards he did surrender.

John

John Lomas. I was along with the rest of them on Hounslow heath on the 7th of May.

Court. Tell your story what you saw.

Lomas. There was Davidson, Tooth, I and the deceased coming from Windsor; there was a waggon coming to town, we ask'd the waggoners to give us a cast, which they agreed to; we all 4 got up in the waggon, and was overtaken by the prisoner on horseback, and a cover'd cart; we were on the left hand side the road, he rode up, and whipp'd the fore horse out of the road into the ditch; the waggoner ask'd him what he did that for? he turn'd back and whipp'd the horses a 2d time, and drove us out of the road a 2d time, they had some words with one another.

Q. What sort of words?

Lomas. I can't tell what words, they were angry words, there might be an oath or two, to know the reason of his using us so, and calling names; then he rode up to the side of the waggon, to horse-whip us, and I got a blow on my chin.

Q. Was the waggon covered?

Lomas. No, it was an open waggon.

Q. Did he strike at you, or promiscuously, as you were all together, or any one in particular?

Lomas. No one in particular, any one he could come at.

Q. Was the deceased in the waggon at that time?

Lomas. He was, he had a little stick in his hand.

Q. Did you see him use it?

Lomas. I saw the stick up, but whether he hit I cannot say.

Q. Was that when he was in the waggon?

Lomas. It was.

Q. What did he do with it when it was up?

Lomas. I saw it up waving. I could not perceive whether it hit Mr. Roberts or not.

Q. Do you imagine he might be striking at him?

Lomas. I imagine he might.

Q. Was that before or after his whipping at you?

Lomas. It was after his striking with the whip; whether the deceased tumbled out, or jump'd out of the waggon I know not; but he and his partner and one of the waggoners were out of the waggon.

Q. What happen'd then?

Lomas. I saw no blow given by the cutlafs, but heard the deceased cry out, *O, my arm is cut.*

Q. Did you observe the stick in the deceased's hand when he was out of the waggon?

Lomas. No, I did not.

Q. What did you first observe after they 3 were out of the waggon?

Lomas. The first thing was, I heard the deceased cry out, his arm was cut.

Q. Did you see nothing done till then?

Lomas. No, I was not out of the waggon at that time.

Q. Did you see no blow given on either side till you heard him cry out?

Lomas. No, I did not.

Q. What did he say?

Lomas. His arm was cut.

Q. When did you first see the hanger drawn?

Lomas. I did not see it drawn till the prisoner was riding away.

Q. What distance of time do you conceive from the time of the deceased going out of the waggon, till you heard him say his arm was cut?

Lomas. O, very soon after that.

Q. Did you hear the prisoner say any thing concerning his hanger before?

Lomas. No, nothing at all.

Q. Where was the prisoner, when you heard the deceased say his arm was cut.

Lomas. He was then riding by the waggon, and I jump'd out and pursued with one of the waggoners.

Q. How far did you pursue?

Lomas. Into Hounslow town, we made the best of our way to know who he was, and he cut several times at the young man and me.

Q. What did you do?

Lomas. We call'd stop thief, the young man stoop'd down, and throw'd up gravel at him; he made several cuts at us, we overtook him at the end of Hounslow town, and we were within side the rails; he said to the waggoner and me, come up, and I'll do for you, he had his hanger then drawn in his hand; he rode away from us there, and we lost sight of him, we ran down the town, and could see nothing of him, but turned back again, and they had got the deceased into the inn. I went into the inn and he was bleeding; I ran out at the gateway, and said, I'll give any body a guinea for a horse to pursue, to know who he is; the waggoner and I went down the town, the prisoner was standing at the Rose and Crown, with his hanger drawn on his arm at the door.

Q. Did he say any thing to you?

Lomas. The waggoner said, I'll be upon my oath that is the man. Tooth look'd at him, and said, I know him, his name is Roberts, he lives with secretary Pitt, in St. James's square; he cut at Tooth; he ran away, and desired me to come away, for fear of being cut.

M m m

Q.

Q Did he attempt to cut any body ?

Lomas. I saw him make a blow at Tooth with his hanger ; he was taken at last by the 2 constables and me, the others were by at the time. He had been in a little room, and had laid his hanger on the table, and was gone out, and the constable came and knock'd at the door ; the prisoner went in, and took the hanger up, and told us, no body should come into the room but the constable ; he surrender'd himself, I went into the room afterwards, and he told me, if he had had his pistol he would have shot me ; I ask'd him for what reason ? he told me, for my inscience ; I heard him tell one of the constables, he would cut off his ears, and make a baker of him.

Cross Examination.

Q. Whether at the time you have been speaking of being pursued, and making several cuts, the prisoner had any notice of the accident or mischief that he had done to the man ?

Lomas. I do not know whether he knew he had given such a prodigious wound.

Q. Were those cuts made at you, in order to avoid your taking of him, from the apprehension of the consequences of the injury he had done, or to avoid any assault from you ?

Lomas. That I cannot tell.

Q. Whether the deceased was or was not on his legs in the waggon at the time he flourished and waved his stick at the prisoner ?

Lomas. I can't tell whether he was on his legs or no, he was the only one that had a stick in the waggon.

Q. At the time the deceased, and his companion and waggoner getting out, had you your eye upon the prisoner ?

Lomas. I had not.

Q. Did you notice what kind of a whip it was ?

Lomas. I think I can tell it, it was a hand whip, not with a thong to it, I did not perceive a thong, to the best of my knowledge I saw it in the parlour where he was.

Q. Should you not have seen it, if he had had a hanger in his hand at the time they 3 were getting out of the waggon ?

Lomas. I did not see the hanger in his hand, and what I did not see, I cannot say, it was partly dark, it was about 8 in the evening.

Q. Might the prisoner have escaped if he would ?

Lomas. He might easily have escaped.

Q. What sort of a stick was it the deceased had ?

Lomas. It was a willow twig, about as thick as my finger ; Davidson saw the deceased cut it as we came along.

Q. to Davidson. Whether the whip the prisoner had, had a long thong or a lash, that is as it were straight at the end of it ?

Davidson. To the best of my judgment it was a thong, but I cannot be particular in it.

Mary Carter. I was in the waggon at the time this mischief happened, I was a passenger.

Q. Whereabouts in the waggon was you ?

M. Carter. I was sitting by the waggoner close to the head of the waggon ; the prisoner and the chaise went on by the fore horse ; he turn'd and hit the fore horse on the head ; then the waggoner that had the whip in his hand said to Wm. Shotter, the other waggoner, mind that ; Wm. Shotter said, what is that for ?

Q. Who did he speak to ?

M. Carter. To the prisoner ; then the prisoner said nothing at all, but turn'd again, and repeated the blows more than once or twice, he struck the fore horse again, and turn'd the fore horse sheer round, and hit the middle horse also ; then the waggoner, and others that were in the waggon, said, what do you do that for ; there were words arose between them.

Q. What words ?

M. Carter. Angry words ; then the prisoner rode up to the side of the waggon, and held the lash of his whip in his hand ; it was a longish whip, he held it double, he held the lash and handle in his hand, and hit John Lomas ; he was mark'd somewhere in the face ; after he had struck several blows with his whip, he said, if you don't like this, you shall have that, and drew his hanger immediately.

Q. Where was the deceased at the time he drew his hanger ?

M. Carter. I think he was at the hinder part of the waggon, I was at the fore part ; I cannot say whether he was in or not.

Q. What was the next thing you observed when he said, if you don't like this you shall have that ?

M. Carter. The chairman got out of the waggon, the deceased.

Q. Did you see him get out ?

M. Carter. I did not, they said he was down.

Q. What did you observe after that declaration ?

M. Carter. I saw the hanger up, and I saw it go down, and I heard the blow ; I heard the words, *he has cut my partners hand off.*

Q.

Q. What was

at the prison, hear the deceased say any thing?

M. Carter. No, I did not.

Q. Who do you mean by partner?

M. Carter. Davidson spoke he meant the deceased?

Q. When the prisoner came up with his horse-whip to the side of the waggon, did he strike at any particular person?

M. Carter. No one in particular.

Q. Was the deceased in the waggon at that time?

M. Carter. He was.

Q. Was there any blows given to the prisoner before the hanger was drawn?

M. Carter. Nobody attempted it, nor the waggoner never so much as shook his whip at him, he always gave good words, and desired him to be easy, there were no blows at all struck but what the prisoner struck.

Cross Examination.

Q. Were there no ill words?

M. Carter. There were words past, they were not very good ones.

Q. What will you call them?

M. Carter. There were angry words, I can't say any thing in particular, there were nothing said in anger till after he struck the horses a second time; they only ask'd him what he did so for.

Q. Did you hear the word blackguard?

M. Carter. I don't know any body that call'd blackguard.

Q. Did you hear swearing?

M. Carter. I don't know that there was swearing; I had a child with me, a little boy.

Q. Did you see the deceased move his stick in the waggon?

M. Carter. I did not.

Q. What distance was the horse that Mr. Roberts was on from the waggon when the deceased got out?

M. Carter. I cannot tell, I take it to be at the hinder part of the waggon when he jump'd out.

Q. Can you tell whether the deceased went to the prisoner, or the prisoner to him?

M. Carter. They were soon met, I cannot tell which moved towards the other.

John Bayles. I was one of the Waggoners; on the 7th of May last I was coming along with my waggon, about a hundred yards from the 10 mile stone, on the near side the road, there came this gentleman on horseback (I'll tell the truth, one man is as much to me as another) there was a tilted cart with him, with two horses in it, the cart

went by us; after it was by us, the gentleman took his whip in his left hand, and struck our horse over the head as he past the horse.

Q. Whereabouts in the waggon was you?

Bayles. I was in the fore part of the waggon; I said, what does the man mean by striking the horse; so did my fellow servant; he turn'd his horse round, and came and struck the fore horse again 2 or 3 times, and likewise the body horse; upon which words arose in the waggon.

Q. What sort of words?

Bayles. Spiteful words, as other people will say, if their horses are beat in the road; this was among the chairmen, I never spoke a word; the prisoner road back to the side of the waggon, and flourished his whip over the side of the waggon, whether he struck any body I can't say, I saw nobody struck.

Q. What do you mean by flourishing his whip, did he strike at them?

Bayles. I can't say he did, but he flourished his whip over amongst them; the deceased said, for your impudence, if I was out of the waggon, I should not begrudge to lay you on with my stick; he had a little white stick in his hand. Said the prisoner, *what don't you like it, if you don't like that, you shall have this*, and drew his hanger.

Q. What happened after this?

Bayles. The first thing that I heard; for I did not know that the man was out of the waggon, I heard the deceased call out, *lord have mercy upon me, I have lost my hand, or he has cut my hand*; I did not see a blow struck. I saw the sword drawn when the prisoner mentioned them words, *if you don't like that you shall have this*. My partner and one of the chairmen jump'd out of the waggon; I found the deceased was out of the waggon then; my fellow servant said to the chairman get down; the gentleman on horseback made towards my fellow servant, his horse did.

Q. Do you suppose the horse went of his own accord?

Bayles. I suppose he did not without being guided.

Q. Was the hanger then drawn?

Bayles. It was; my partner had nothing to defend himself with (it was wet, flappy weather) he stoop'd, and gathered up some dirt, there might be stones in it, but not very bigg, he hit both him and his horse; the horse being a spirited horse would not come nigh him; he immediately turn'd into a gallop, and they ran after him; I was in the waggon all the time; they ran after him, calling

ing *stop thief*; they all left me and the woman in the waggon; and I got out, and drove the horses. I saw the prisoner afterwards in Hounslow as I came by.

Cross Examination.

Q. Whether when the prisoner first drew his hanger, was the deceased in or out of the waggon.

Bayles. I cannot say justly; for I did not know that he was out of the waggon.

Q. How soon after the deceased said I should not grudge laying you on with this stick, that you heard him call out of his hand?

Bayles. It was some small trifle of time, a very small time.

Counsel. Was it a minute or 2?

Bayles. I cannot say to a minute, I will not wrong my conscience.

Counsel. I think you say he struck the fore horse, just as he past him?

Bayles. As he past him, and the second time he came back and struck him.

Q. Where was the chaise then?

Bayles. That was gone by, and he was riding by as he struck him first.

Q. Had the chaise past your horses when he first struck the fore horse?

Bayles. I believe their horses might be gone by our horses; I think he was at the tail of their chaise, they were going on very fast.

Q. How near was your waggon to their chaise?

Bayles. I dare say there was room enough for any carriage to go between them and us.

William Shotter. I am Fellow servant to the last witness; on the 7th of May, about 8 o'clock in the evening, I was assisting in driving this waggon; we had been to Eaton with a load of leather; on this side Cranford bridge we overtook 4 chairmen, they ask'd us to ride as far as Hounslow; we told them they might get up, they got up; when we got within 200 yards on the other side the 10 mile stone, the gentleman on horseback, and a tilted cart, came and overtook us; they came along very fast, going along by us the gentleman took his whip in his left hand, and with the butt end of it hit the fore horse on his head, and our horses went out of the road.

Q. How near was he to the chaise marine then?

Shotter. He was by the side of it, that is what I call'd a tilted cart.

Q. Was the chaise gone past your waggon?

Shotter. It was past the body of the waggon, but not past the horses.

Q. How near was it to the waggon, as thick as another carriage; I said what is your fancy for hitting the horse?

Q. Whereabouts in the waggon was you?

Shotter. I was in the middle of the waggon, my partner set first, and I next him; the prisoner immediately turn'd round, and I believe he was 2 horses length before us; he turned back and hit the horse again once or twice; then he repeated his blow on the next horse, call'd the body horse; then he came to the body of the waggon, I heard his whip come against something, but I did not see the whip, it was like lashing; then the deceased shook his stick at him that he had in his hand; said he, if I could get at you I would not grudge to lay you on with this; said the prisoner, *D—n you, don't you like it, if you don't you shall have this*; speaking to the man that shook his stick.

Q. Did you observe any thing in the prisoner's hand at the time he mentioned that expression?

Shotter. He immediately clap'd his hand on his hanger, and drew it; there was something happened that I did not mention when before the coroner, which I have since recollected (that was this) as soon as he drew his hanger, he said, *you are chairmen, I know what you are, and where you ply*. Then the chairmen wanted to get out of the waggon; I laid hold on his arm to prevent him getting out, fearing Mr. Roberts should do him a mischief, for he waved his sword about very much.

Q. What do you apprehend he wanted to get out of the waggon for?

Shotter. I could not be a judge.

Q. Had he his stick in his hand then?

Shotter. I think he had, but I cannot be positive; when I let him go, I cannot be positive, whether it was by a jolt of the waggon, or whether by a fright, I look'd towards the fore horse, and turning my head back again he was out of the waggon; I saw him on the ground on his back in the dirt, I went to jump out of the waggon, thinking he was hurt; and the chairman, who was first examined, jumped out at the same time; before I could recover myself, I found Mr. Roberts and the deceased in a sort of a scuffle together.

Q. Describe as exactly as you can this scuffle.

Shotter. I saw the sword waver up and down 2 or 3 times.

Q. Did you see the stick in the deceased's hand then?

Shotter. I do not remember that I did; this was before the blow given.

Q.

Q. What was the deceased doing at the time that the prisoner was flourishing his sword?

Shotter. They were very nigh together, in that instant I heard him cry out, *O, my hand, my hand, I have lost my hand*, or something to that effect; then the prisoner rode towards me wavering his sword, I had nothing to defend myself with, but I gathered up dirt, and as he came to cut at me, I flung it up in his and his horse's face in this manner (*describing, by stooping with his belly near the ground, and with his hand casting up the dirt backwards (as he kept his backside to him) into the horse's face*;) I believe it went both in his and his horse's face, but kept the horse off; then he rode off, and I and John Lomas follow'd him, calling stop thief.

Q. Did you take particular notice of the prisoner's whip?

Shotter. I can't say whether it was a long or a short whip; we overtook him at Hounslow, at justice Bullstrode's rails; he rode up to the rails, and struck at us, but especially at me, and said to me, D—n you come out, and I'll do for you; I told him to put up his sword and I would.

Q. Did he put his sword up?

Shotter. No, he did not; then he rode on pretty fast, and we ran a little way down the town after him; we lost sight of him, and came back to see how the deceased was; we went in at the Red Lion, there was a surgeon dressing the deceased; the deceased said he was almost spent with the loss of blood, there was a great deal of blood on the floor; I went out again; then Lomas said, he would give a guinea for a horse to pursue. I said to him, let you and I run forward to Brentford, it is my opinion we may overtake him, as somebody said he did not go very fast; said he, with all my heart; we ran along, and at the Rose and Crown door there the prisoner stood; whether he had his hanger drawn then I cannot say, I was the first man that came up to him, he stood up against one of the posts in the gateway; said I, that is the man, I'll swear to him; said he, come on, if you want me, what do you want with me, and drew his hanger, if it was not drawn before. Said I, put up your sword, for you have done mischief enough with it already, you have cut one man's hand off already. Said he, and God d—n you, I'll cut your's off, and made at me directly; I got into the road, and flung up dirt at him as before; then I made to our company; then there came up David Tooth, he look'd at him, and said, my lad come away, I know him, his name is Ro-

berts, he lives with Mr. Secretary Pitt; our waggon came up by that time; then the prisoner ran up with his sword drawn to my partner, and desired to know whose team it was; my partner ask'd me to come along home; I said, I was afraid to go home; then we went home with the waggon and the woman.

Cross Examination.

Q. At the time you had hold on the deceased's arm, that he insisted upon getting out of the waggon, what did he say to you?

Shotter. I don't remember he said any words, but he seem'd to struggle to get out of the waggon.

Q. Was Mr. Roberts near the deceased when he was all along upon the ground?

Shotter. No, I think he only got on his legs when the scuffle began; I think it was on the same spot.

Q. What became of the stick?

Shotter. I don't know, it was not left in the waggon, I never saw him with it after he was out; the thing was done in a minute's time.

Q. Was it a loaded or an empty waggon?

Shotter. It was an empty waggon, with 3 horses.

Q. When you saw Mr. Roberts in the town, was he in the custody of any body?

Shotter. No, he was not.

Q. When he said they were chairmen, and he knew were they ply'd, had he received any injury from them do you think?

Shotter. There were only bad words, which there were on both sides, and I think the prisoner gave as bad as he received.

William Frogley. I am a surgeon and apothecary, and live at Hounslow; I was sent for to attend the deceased at the Red Lion; I remember it was the day after the installation; when I came there, there was a person scraping of lint, I look'd upon to be a surgeon, I thought then I had nothing to do; I found the man standing in the gateway; I said, why are you here; he said, I can't stand no where else, I have fowl'd my breeches; the wound seem'd to me to be cut quite through the bone; the bleeding was stop'd by the other person, I had nothing to do but to secure it till they got him to the hospital.

Q. From the experience you have, do you or do you not apprehend it might be the death of the person?

Frogley. Yes, it might; I never saw him since that.

John Riddle. I saw the deceased on the morning of the 8th of May, after he came to town, at his own house, he had lost a great deal of blood, and was in a great deal of pain; I was under the apprehension that he would bleed to death; I let him alone for some days to prevent a farther effusion; the wound was cross the wrist, the bone and artery were both divided; I attended him constantly till the time of his death, which was on the 18th of the same month; at last he was taken all of a sudden, with a violent fever, and that carried him off.

Q. What do you look upon to be the occasion of his death?

Riddle. I look upon it, his death was the consequence of the wound.

Cross Examination.

Q. From the situation of the wound, whether it was possible, that a blow should be given while the deceased was holding up his hand in a defensive way?

Riddle. I apprehend the deceased must have been in an offensive situation, to have received the wound in that place as it appear'd; had the hand been held up, and the cut struck downwards, the cut would have went towards the shoulder; but it appears to me, the hand was not up, for the cut went a slant towards the fingers.

Mr. Tompkins. I was desired by Mr. Roberts the prisoner to attend the deceased, which I did, along with Mr. Riddle, the whole time; he went on in a favourable manner some time, but at last a violent fever came on, and notwithstanding all the efforts made use of, the fever carry'd him off.

Q. What do you think was the cause of his death?

Tompkins. The fever was occasioned by the wound, I have no doubt of that, and he died of that fever.

Mr. Pickford. I am an apothecary.

Q. What do you conceive to be the cause of the deceased's death?

Pickford. I believe the cause of his death was a fever, proceeding by the wound.

Prisoner's Defence.

My Lord, it is my misfortune to appear at this bar, but it is great comfort to me, that I feel myself innocent of the crime I am charg'd with; no one is more heartily concern'd for the accident which befell the deceased than I am; but he, poor man, and his companions, were the occasion

of it; all that know me can testify, that I never was addicted to quarrelling, a revengeful temper is no part of my character; and as to any malice towards the unhappy deceased, I never saw him before in my life; the truth my Lord is, that the provocations I received were what no man besides could have borne with. I wish, my Lord, I could; not for my own sake only, but for the sake of the poor deceased. Notwithstanding, my Lord, what is sworn by some of the witnesses, I assure your Lordship, that I never drew my hanger till I had been assaulted, and pelted at; nor us'd it, till the deceased himself had even attempted to catch hold of my bridle; the blows I received from the deceased upon my shoulder was so great and painful, that the effects of it were visible for 14 days after, and the several other blows which I afterwards received from his companions, inflam'd me, and made me insensible of what I did; sorry I am, my Lord, for it's consequences, but I depend upon the justice of this honourable court for my acquittal.

For the Prisoner.

Edward Cooper. I am servant to Mr. Secretary Pitt; the prisoner is groom of the chamber, not in livery.

Q. What is your employ?

Cooper. I work at the farming business; I drove the chaise marine on the 7th of May; he was along with me, he was guide; there were a great many valuable things in the chaise, jewels and things of great value; we were on Hounslow Heath, coming up to this waggon, very near the town; there were several chairman in the waggon, they were going along the same tract that I was; I got out to pass them on the right hand; I was sitting on the seat to drive, and Mrs. Matthews along with me; I was driving full trot; they were walking very slow; just as I got over right them they whipp'd and cut their horses, and I thought they had a mind to drive against me; their horses came along full trot, rather faster than I; with that Mr. Roberts rode in between, and with his whip he wore their horses that I got past them; he juit bore them that they did not come against me, after I was got by, then they drove up a 2d time, but rather faster then they did the first, then Mr. Roberts rode along against their horses again, and held his whip, and wore them away to the left again.

Q. What words were made use of the 1st time?

Cooper. There were no words made use of the 1st time; after they came the 2d time, they seem'd not

not to get away, then he gave them a cut with his whip, and turned then on the other side of the road, this was the first stroke he made.

Q. How near were they then to the waggon?

Cooper. They were sideway rather before me, they were getting ground of me, I believe the body of the waggon was about equal with my chaise marine, or rather behind, but that I cannot say, their horses kept on, and got some distance before me, but they were on the other side of the way; with that I heard several words from the chairmen, that is, the sound of them, what they were I could not understand, upon the account of the waggon making such a noise, and also my chaise marine. Mr. Roberts had a short hand whip, with a short lash; one of the chairmen had a white stick, he shook his stick very much towards Mr. Roberts.

Q. Was the waggon before you or behind at that time?

Cooper. When I got clear of him, it was before me at first, and it was before me when he shook his stick; I saw him make 2 or 3 attempts to get out of the waggon; I kept on my old pace as at first, and got by, and saw no more, I sat under a cover, so that I could not well see them when behind me. I stopt at Hounslow, Mr. Roberts overtook me as I was going along, I believe before I came to the inn where I rested my horses, the same inn where he was taken up at; I did not know then what accident had happened; soon after came the people with the waggon, then I heard how it was, I lay there that night.

Cross Examination.

Q. Was not the road broad enough for you to have past without any interruption at all?

Cooper. Yes.

Q. How came that into your fancy, to think the waggoner whipp'd their horses intending to cross the way upon you?

Cooper. I heard them whip and speak, as if seemingly they bore up to me.

Q. Did you see them whip?

Cooper. No; I swore to the sound, it was the lash of a whip, I did not know who it was, but I perceived the horses bore up to me.

Q. What did the men say?

Cooper. They said *bite* and *gee* to their horses; and I saw Mr. Roberts come to put them out of my way.

Q. Where were the waggoners at that time?

Cooper. They were in the waggon when I first saw them, and I never saw them out of the waggon.

Q. Did they overtake you a second time?

Cooper. They got rather before me, their fore horse was rather before mine.

Q. Did you keep on?

Cooper. I did.

Q. How big was the stick as the man shook at Mr. Roberts?

Cooper. It appeared to me to be bigger than my finger.

Q. Whereabouts was Mr. Roberts when he shook his stick?

Cooper. He was about half a dozen yards behind the waggon then.

Mary Matthews. I live at the Bath, I had been at the installation; I was on the seat with the last witness on the chaise marine; at this time on Hounslow Heath we saw a waggon before us, there were people in it, we were going a trot; when we came nearer them, they went a good deal faster, and we past by them; after that the waggon came a very fast pace on one side us, and indeavoured to cross the road, to get into the track before the chaise, there horses went quite cross; upon which Mr. Roberts came up between the carriages, and with his whip indeavoured to keep the waggon horses off; upon that I heard the men in the waggon make use of very loud words, and swearing, and I believe threatened the prisoner, and the chairmen seem'd to me to be rising up; our carriage still kept on, and left them behind, so that I know nothing as to the blows; when we were got home, Mr. Roberts complain'd very much of his arm; he show'd me a mark on his left shoulder, it was very red, and look'd to me to be swell'd; that morning he said he could not use his arm, and desired me to buckle his stock.

Q. Had he complained of it before?

M. Matthews. I never heard him complain of it before.

Q. Do you imagine it was necessary for him to do what he did to the waggon horses?

M. Matthews. I do, or else they would have driven against us, and turn the chaise over, or hurt us, our chaise could not bare no more to the right, and they pressing still upon us.

Q. Was you by when the things were put in the chaise marine?

M. Matthews. I was; there were strong boxes in them.

Evan Moses. I am a soldier; I was sent for from

from Germany to attend this trial. I was quarter'd at Hounslow at the time, and was passing by on foot when this happened; I first saw the chaise marine about 20 yards before the waggon; I believe I was 30 or 40 yards distance, they were coming towards Hounslow, and I going the other way, the waggon overtook the cart in a short time, when they came along side, they took and drove their horses cross the road.

Q. Did they speak to the horses?

Moses. They said to their horses *come better*; and I perceiv'd them to whip them; the waggon horses cross'd the other horses, as the cart was on the right hand side the waggon.

Q. How near was the cart to the road side?

Moses. I can't say that; I believe it was as close as it could be; then Mr. Roberts put his whip again to the horses to keep them from coming upon the cart; he was between the horses in the cart and the horses in the waggon; then the waggon got by the cart, they were going faster than the cart horses; I saw a chairman in the waggon shaking his stick at Mr. Roberts as he past by; Mr. Roberts kept pace with the cart on the left side of the cart. The next thing I observed, was the waggon went a little slower, and the cart overtook them; then they came along side, I saw the chairman making a stroke at Mr. Roberts; I can't tell whether it hit him or not; he made an offer 2 or 3 times after that, but Mr. Roberts gave way to him, and kept a little farther from him; the next thing I observ'd was the chairman came out of the waggon.

Q. Before you come to that, did you see Mr. Roberts go towards the horses once or twice?

Moses. I did not observe it but once, that was the first time the waggon past them; but I did not then observe him to strike the horses; the chairman that came out of the waggon had a stick in his hand; Mr. Roberts was then rather behind the waggon; the chairman jump'd out after him, the man in a white coat; then he got rather before Mr. Roberts, and got up gravel, and throw'd it against the horse's head; the horse turn'd about, at that time the chairman was behind the horse; the horse turn'd about and fac'd the chairman; at this time all the chairmen were on the ground, throwing things at the horse, all were about the prisoner throwing at him, and the man with the stick laying upon him, and very often gave him and the horse several blows. Mr. Roberts strove to get his horse from among them to get after the

chaise. but could not, for which way soever he went to go they met him, and throw'd gravel in his horse's face, I saw the chairman strike him several times with his stick.

Q. Did you see the hanger drawn?

Moses. I did not; I thought it was a stick.

Q. Did you hear the man that is dead call out, *he has cut my arm*?

Moses. No, I did not.

Q. Did you see the chairman fall down?

Moses. No, and if he had I should have seen it; neither did I know that he was cut till I came to Hounslow, which was in about a quarter of an hour; then there were a great mob there; and I was told a chairman was cut; there was a chairman wanted to get one of our men's hangers out of his hand; and said, give it me, and I'll go into the room and cut the rogue's head off: and another said to another chairman, if you had done as much as I did, we wou'd have had him off his horse, and his brains about the road before then.

Cross Examination.

Q. Where was the waggoner at the time you heard him calling to his horses?

Moses. He was in the fore part of the waggon, it was a man in a white coat that whipp'd the horses along.

Q. Where was the deceased when he made these offers at the prisoner?

Moses. He was in the waggon, standing towards the middle of it, it was with a good large stick.

Q. Did you see the deceased get out of the waggon?

Moses. I did; and it was not above 4 or 5 minutes after that he fell to striking the prisoner.

Q. Did you see the prisoner with his hanger make a cut at any body in the waggon?

Moses. No, I did not; I saw him lay about him, but with what I know not.

Daniel Bready. I live at Isleworth, and sell fish and fruit about in the neighbourhood. On the 7th of May last, about 8 o'clock, I saw a man in a blue coat, a chairman, jump out of this waggon, and made a run at a man on horseback, and struck at him twice with a stick or cane, I am not a judge which; I was within about 50 or 60 yards when he began, and I went along nearer and nearer.

Q. Did the blows reach the man on horseback?

Bready. He could not miss hitting him, without he defended himself. I saw also a man in a white coat stoop down, gathering gravel and dirt.

and

and throwing it at the man on horseback, at the time the chairman was striking him with the stick.

Q. Did you hear the man that is dead cry out?

Bready. No, I did not; I was not near enough.

Q. Did you see him fall?

Bready. No, I did not; I heard a man say stop the man, for he has cut a man's arm off.

Q. How long after the dirt was thrown?

Bready. They were throwing dirt at the same time; I saw the man with the stick strike several times after the dirt was throwing, I am sure of that.

Cross Examination.

Q. Did you see a soldier on the road at the time?

Bready. No, I saw no soldier only in the town of Hounslow.

Q. Did you see the chairman fall at jumping out of the waggon?

Bready. I saw his foot slip at jumping out, but he recover'd himself, and made a blow at the man on horseback.

Q. Whereabouts was that man on horseback when the chairman ran up to him?

Bready. He was about the 2d horse in the waggon at that time.

Q. Had the man on horseback any instrument in his hand?

Bready. I can't tell, I did not see any thing in his hand, his back was towards me, and I did not observe, I had a tub of salmon on my head, and for that reason I kept out of the mob; the time that the chairman ran at him he was a naked man; I believe he gave his horse a spur and rode away; he was oblig'd to ride away, there were 5 or 6 of them.

Q. How long was all this about after the man got out of the waggon?

Bready. Not a great while.

Q. Did you not see a hanger?

Bready. I saw a hanger in his hand when he set off.

Q. Was it drawn?

Bready. It was, but I did not see him strike at any body.

Q. Where was you going?

Bready. I was going from Hounslow to a gentleman's house.

C. for prisoner. This witness says he saw no soldier. This same soldier was examined by the prosecutors themselves the next morning before a justice of peace, and the deposition was return'd.

The deposition produced.

Q. to Ewan Miss. Was that the truth that you mentioned before the justice of the peace when this deposition was taken?

M. J. It was.

Wm. M. J. I live at Mr. Fielding's; I remember that soldier being examin'd before justice Fielding; the examination was return'd; here this is it. There was an information made before the justice against the waggons, for riding in their waggon; and not having a driver; the waggons were convicted upon the evidence of Mr. Roberts, and this soldier.

Q. Was this examination only relative to that of the riding in the waggon to drive?

M. J. The information was to take the truth of every thing; every thing he had to say was taken; we did not know but the man might die that had been cut (which he did afterwards) so it was taken to the whole of all he had to say.

It is read to this purport.

That on wednesday last, about 8 in the evening, he was taking a walk upon Hounslow Heath; he observed a tilted cart and waggon driving towards London; that he saw the person then present (Mr. Roberts) accompanying the said cart on horseback; that he observed the said waggon to be drove improperly against the said tilted cart; and that Mr. Roberts endeavour'd to drive the said horses on one side the road, in order that the said tilted cart might have a free passage; that there were in the said waggon several chairmen, who, after he had so endeavour'd to drive the said waggon on one side the road, took their sticks at the said Mr. Roberts; and that he saw nothing more pass.

Stafford Spencer. I am one of his majesty's messengers; I was at Mr. Secretary Pitt's on the 8th of May, between 10 and 10; Mr. Roberts came in from Hounslow; I went to take hold of him by the hand, he said, for God's sake Spencer don't touch my hand, I am in such violent pain, by a hurt that I received on my shoulder, that I cannot bare touching; he said, he had been abused by some chairmen at Hounslow.

Q. How long have you known him?

Spencer. I have known him above 3 years, and most days I have seen him; I never knew a better temper'd man, every body that comes to the house have civil, genteel treatment from him; I believe he must have had some very bad treatment, to do an ill-natur'd thing to any man.

John Money. I am a messenger; I have known him upwards of 3 years; I saw him on the 13th of May; then I saw a bruise on the upper part of his arm, it appeared very black and much bruised; as to his character, I never heard a man have a better in my life; he is look'd upon to be as good-natured, inoffensive a man, as any in the world; I have had occasion to be in his company many times, I never saw him inclin'd to quarrel in my life.

Mr. Wilbear. I am steward to Mr. secretary Pitt, and live in the family; I have known Mr. Roberts 5 years and 7 months; he has liv'd with my lady Esther and Mr. Pitt 13 or 14 years; he is a good natured, humane man, far from outrages or cruelty, willing to make up breaches. On the 15th of May he was showing his arm to some of the servants, I saw it; there was a stroke 3 quarters of an inch wide, it was between 4 and 5 inches in length, like the stroke of a stick, of a dirty blackish yellow cast; it look'd like a bruise worn out, it look'd like the mark of a bruise given about a week before.

The whip brought into Court; a common hand whip, with a straight lash, about 6 inches from the end of the whip, depos'd too by Cooper to be the same that Roberts had on the 7th of May.

Dr. Hunter. I have known Mr. Roberts about 3 or 4 years; his behaviour in the family was really civil, I have the best authority for saying it, a man extremely civil and obliging. I saw the body of the deceased open on the coroner's inquest.

Q. Could that wound be received when the man was acting on the defensive?

Hunter. I imagine it is impossible; it was just as much cut on the outside as the inside, and cut slanting towards the fingers; it could not be cut as his hand was up, for if so, it would have been slanting towards his body, it must be while his hand was down, or holding the horse's bridle.

Cross Examination.

Q. Supposing a man was raising his hand, and a blow was to come on that sort, would it not depend much on the direction of the weapon, and the force of the blow, to beat down the arm, and carry it before it.

Dr. Hunter. When a man is striking at another, he has his face towards him, it must cut him in the direction towards his body, and not towards his fingers.

Elizabeth Sperry. I live in Mr. Pitt's family, 18

years or better, with my Lady Esther, and with Mr. Roberts between 14 and 15 years of that time: when he came into the family first he was my Lady Esther's footman; but, upon his being a diligent servant, he was remov'd to be groom of the chamber; he was always ready to do every good office that was in his power, a civil good-natur'd man, I never knew him quarrelsome, or any instances of cruelty by him,

Mr. Renoe. I am butler to Mr. Pitt, Mr. Roberts complain'd of a violent blow he had received at his coming back at that time; I saw the bruise 2 or 3 days after, it appeared blue, black, green and yellow; it was from his shoulder half way down to his elbow; it appeared to be a violent bruise. I have liv'd with him in the family almost 4 years; he is a very humane, good-natur'd man, very serviseable to any one that wants his assistance, far from that of a cruel or passionate man.

Francis Williams. Who had known him from a child. Edward Baxton 28 years. Moses Davis from a child. John Matthews 6 or 7 years. Jos. Stevens 40 years. William Harris 12 years. Edward Bishop 20 years. 2 Mr. Paterfon's, one 3 years, the other 5 or 6. Mr. Campion 5 years, and 7 or 8 months. 2 Mr. Howell's, one 6 or 7, the other 12 or 13 years. Mr. Linnel 14 or 15 years. Mr. King 6, or 7 years. Mr. Squib 14 years. Mr. Crisp about 5 years. Mr. Richardson between 6 and 7 years. Mr. Johnson between 6 and 7 years. Mr. Neild between 13 and 14 years. Mr. Sheldon about 14 years. 2 Mr. Jones's, one 13 or 14 years, the other about 9. Mr. Bangham about 8 years. Mr. Price between 15 and 20 years. Mr. Hawkins between 14 and 15 years. Mr. Dawson 15 years. Mr. Wallis about 5 years. Mr. Featherstone almost 2 years. Mr. Summer 7 years. Mr. Holmer 7 years. Mr. Jacket almost 6 years. Mr. Rofs 5 or 6 years; and Mr. Creswell, who all depos'd him to be a good-natured, peaceable, inoffensive man, not inclinable to passion, quarrelling, or cruelty, but ready to make up breaches where in his power.

Counsel for prisoner. We have, I believe, 100 witnesses more to character if needful to call them.

Court. No man's character was ever better established.

Guilty of manslaughter.

231 (L.) *Susannah Danby*, widow, was indicted for stealing 2 cloth coats, value

208. one black shag-waistcoat, value 5s. and one pair of leather shoes, value 12d. the property of William Kyle, June 19. †

William Kyle. I am a bricklayer; I can only say I lost the things mentioned out of my lodgings when I was out. I went out into the street after I came home, and met Ann Hackney; she told me she had been and lock'd the thief in a room, and gave me the key of the room; but when I came to the room, as she directed, there was nobody in it.

Thomas Howard. The prosecutor lodges in my house; I was not at home at the time the things were lost; all that I know is, I made the 2 coats, one for the prosecutor, and the other for Isaac Jackson, which the prosecutor had in his care (*produced in court, depos'd to by prosecutor*)

Q. to Howard. Did you know the prisoner before?

Howard. She was helping a lodger (the day before the things were mis'd) that lives in my house, up one pair of stairs.

Ann Hackney. I was lately got acquainted with a woman that lived in Black Horse alley, who was landlady to the prisoner at the bar; I wanted a woman to wash for me, so I had the prisoner; she wash'd very clean, she said, and pleaded a deal of honesty. On the 19th of June I was going to fetch a pennyworth of chips, and met the prisoner and Mrs. Hill together; I no sooner got home, but I met the prisoner coming down stairs; I said, what do you do up them stairs; she said, she thought it was my husband that came in, and she went up there to hide herself; she had the cloaths mentioned in the indictment in her hand; said I, why do not you come into the room; she went away.

Q. Why was she afraid of your husband?

A. Hackney. That is what I wanted to know; I went to Mrs. Howard, and ask'd her if her garret door was lock'd; and told her the woman was come down, and gone out with an apron full of cloaths; and said, I had taken hold of one of the button holes; I told her it was the woman that was with me yesterday; she went up and came down again, and said the cloaths were all gone. I ran to 2 pawnbrokers, and bid them stop such things if they should be brought; and went to Mrs. Hill's room, where I found the prisoner.

Q. Where does Mrs. Hill live?

A. Hackney. In Seacoal lane; the prisoner had the cloaths in her lap; I said, you have broke open our lodger's door, and taken away his cloaths; I ran out, and the key was in the door, and

lock'd them all 3 in together, and carried the key, and gave it the prosecutor, when I met him, and told him where the prisoner and cloaths were; when we came there they were all got out, and had left the shoes on Mrs. Hill's table, and thrown the cloaths out upon the stairs.

Sarah Hill. The prisoner is a stranger to me, she came up into my room along with Mrs. Willson, who was formerly a great croney of Mrs. Hackney's; the prisoner had sugar and butter in her hand, and a bundle in her apron, as full as it could hold; I never saw the cloaths till in Mr. Howard's hand. Mrs. Hackney never saw what was in her lap, she only pull'd her apron a little up. I heard the prisoner ask Mrs. Willson to take the cloaths, and go and make 3l. on them. Elizabeth Willson ask'd whose cloaths they were; she said, they were a watchmaker's, but what his name was I did not take notice; I said, has any body been in trouble; the prisoner said, yes; it was at a cock-fighting.

Q. Was you before the Alderman;

S. Hill. I was; the prisoner was very fuddled, and said nothing.

Q. to A. Hackney. Was you before the Alderman?

A. Hackney. I was.

Q. Did you hear the prisoner say any thing?

A. Hackney. I did; she had a very fauzy excuse.

Q. Did you see the cloaths in the prisoner's lap in Hill's house?

A. Hackney. I did; I saw some part of the coat and waistcoat.

Prisoner's Defence.

I had been at work on the Tuesday, and on the Wednesday I was to go again; I went, and she gave me these cloaths to make money of; and I carried them to Mrs. Willson's.

S. Hill. A. Hackney met this woman, the prisoner, in the street, and gave her a hat out of her hand; and said, are you coming to our house; and said, if she did not come then she might as well stay away; and in less than 10 minutes this robbery was done.

A. Hackney. The prisoner gave me a hatt out of her hand.

Acquitted.

232. (M.) Deborah, wife of John Hughes, was indicted for stealing one cloth coat, one laced hat, and one velvet cap, the property of Archibald Cockeron, Esq; July 7. † Guilty.

233. (M.) **Per. Wakefield Harcourt**, was indicted for stealing one coat, 3 waistcoats, value 20s. one half gown, value 20s. 4 shirts, 40s. 2 silver spoons, 7s. 1 silver hilited sword, value 40s. and 1 table cloth, the property of Geo. Walsh, Esq; in his Dwelling-house July 1. *General Walsh*. I lost the goods mentioned in the indictment, I don't know who took them.

Richard Gunton. I am a pawnbroker; the prisoner pawn'd with me a night gown, a silver hilited sword, 2 shirts, and a table cloth with me, (produced in court, and depos'd to)

John Brown. I am a pawnbroker; the prisoner pawn'd two faced waistcoats, and 2 silver spoons with me, (produced in court, and depos'd to)

Hen. Stockdale. The prisoner pawn'd a waistcoat and 2 shirts with me, (produced and depos'd to)

Q. from prisoner. Do you know Mrs. Harcourt?

Gen. Walsh. Yes.

Q. from prisoner. In what capacity does she live in your house?

Gen. Walsh. She was my house-keeper.

Prisoner. You know she is my lawful wife; she delivered those things to me, and desired me to pledge them for so much money; this is a contrivance to deprive me of my liberty.

Acquitted.

234. (M.) **Margaret Maddox**, spinster, was indicted for stealing one silver table spoon, value 6s. the property of Edw. Shakel, June 7. *Guilty*.

235. (M.) **William Wake** was indicted for stealing one copper pot and cover, value 6s. one brass pot and cover, value 5s. one stew pan, value 2s. two pewter plates, value 1s. and five wooden trenchers, value 4d. the property of Jos. Lee, Mar. 10. *Acquitted*.

See the Trial of Tho. Allen and Fra. Wardley, No. 175 and 176, in the last Sessions papers, where an accomplice was tried for the same.

236. (M.) **John Drake**, was indicted for stealing 7s. in money, numbered the property of William Christopher, May 30. *Acquitted*.

Ann Corbridge. I live at Limehouse, my husband's name is William; the prisoner is betw. 15 and 14 years of age, we took him apprentice out of the workhouse, to go on errands and draw beer. We keep an alehouse, he has often run away, the last time was on the 20th of May; his mother lock'd him up, and brought him again; I shut him up in the garret till his master came from church. I went to fetch him down to give him some victuals, and he was gone, he had broke through an empty house; he was brought to me by Mr. Neal the next day; then I had mis'd some halfpence; I charg'd him with taking them; he confes'd he went out of that empty house in the night, and round a stack of chimnies, and into our fore garret, then down into my parlour, and broke a cupboard open, and took out 7s. in halfpence; we found them upon him; this was the 9th or 10th time of his eloping in this manner.

Mr. Neal. On the 30th of May I was walking from Bow, I met the boy at the bar in the fields, and knowing his manner of behaviour, took him back to his mistress.

Sam. Lidall deposed to that of the prisoner's confession, and the money being found upon him, the prisoner had nothing to say in his defence.

Guilty.

237. (M.) **John Elliot**, was indicted for stealing one piece of muslin, value 6s. the property of Tho. Hunt, Dec. 22. *Acquitted*.

238. (L.) **Pierce Demolay**, was indicted, for that he, by false pretences, did obtain 3s. 6d. into his custody, the property of John Cheshire, with intent to cheat and defraud him of the same, July 8. *Acquitted*.

Wm. Priest. I am clerk to the court of requests; the prisoner came to me on the 8th of July, and demanded money in the name of John Cheshire; he told me that was his name; I told him there was 2s. paid into court.

Q. What was the whole debt?

Priest. That was 37s. he made his mark to a receipt I wrote in the book, and he took the money out, he had 3s. 6d. which were 2 payments. John Cheshire came afterwards and desir'd to have the money out. I told him I had deliver'd out 2 payments; he said, he never receiv'd any out of the court; then we found the prisoner out, and he

acknow-

acknowledg'd he had received it of me; and I also knew him again.

John Chelshire. I had a demand upon one William London for 11. 17s. 5d. he was to pay the debt in at so much per week, but I never receiv'd any. I am acquainted very well with the prisoner, he is a near neighbour to me; he must come at the knowledge of this by my mother's speaking of it, for I had not told him.

Prisoner's Defence.

His mother sent me for it.

Prosecutor. I am certain she never did.

Priest. The prisoner did not say he came from John Chelshire, he said that was his name.

For the prisoner.

Racbael Bulger. I have known him 14 years; he is a shoemaker, and lives by his labour, I never knew any ill of him.

Guilty.

239. (M.) *Catherine Lindsey*, spinster, was indicted for stealing 16 Guineas, the property of Eleanor Sheldon, spinster, June 2. †

Hen. Heathcote. I keep an inn; the prisoner had lived with me 3 different times. The 2d of June the prosecutrix, that has lived in my family a long while, missed 16 guineas; upon enquiring who had taken it the same day, the prisoner went out, and did not return till we found her in Old street.

Eleanor Sheldon. The prisoner went away at half an hour past 4 in the afternoon, and we found her in Old street the next morning. She was taken before a magistrate; there she own'd she had taken my 16 guineas, which I had mis'd; we found upon her 11 guineas, and 3s. which she acknowledged to be my property, I had that again.

Gabriel Hayden. I am a near neighbour to Mr. Heathcote; I took the prisoner up in Old street, and brought her back; she confessed she had taken the 16 guineas, and returned 11 guineas and 3s.

Prisoner's defence. I am not guilty. Guilty.

240. (M.) *Patrick Donnelly*, was indicted for stealing one gold watch, value 51. the property of Matthew Smith, May 24. †

Matthew Smith. On the 24th of May last I had been to see a relation in Russel court; in returning back, I stopp'd in Covent Garden, with a man whom I deal with for fruit; I went down Hen-

rietta street, it being a fine moon-light night, I went in order to call upon a relation in King street, near the Seven Dials, nam'd Williams; I went up Bedford-street, but finding it full late, did not call. I cross'd Long Acre, and thro' a court into Hart street; and mistaking my way, went up a court in order to go through, I found it was no thoroughfare; I observed the prisoner to follow me; when I found my mistake, I said this is no thoroughfare; he came up to me, and pull'd my watch out of my pocket; I collar'd him; he struck me behind my ear, I saw my watch in his hand; he ran down the court; I call'd watch; he struck me on the face with my watch, and broke the glass against my jaw bone. Soon after he was seiz'd by a soldier; somebody came up and said my face was all bloody; I describ'd the watch, and soon after it was pick'd up by a person now in court, with the glass broke; then the prisoner said, now you have found your watch, have you any thing farther to say to me: said I, as I have got my watch you may go and be d—d; upon which he said, then I charge the watch with you. I was bail'd out on the monday morning, I went to Mr. Fielding's with him. At the justice's, the prisoner first said I was with a woman, and mis'd my watch; and he was going by at the corner of the alley, and I charg'd him with taking it, and that he never was in the court, and that he never had it.

Q. from prisoner. Whether, when we were in the court, he did not put his hand in my breeches, and lay hold of my private parts?

Smith. No, I did not; I never heard him speak a word till after he had struck me with my watch; then he said either *blasi* or *d—n* my eyes.

Q. from prisoner. Whether I did not lay hold of his collar upon his attempting to put his hand into my breeches, and he did not immediately beg I'd not use him ill, and say I'll down on my knees, and hold his hands up, and take his watch out of his pocket, and say, I'll make you a present of this, as I have no money; and I took the watch and struck it at him.

Smith. No, upon my oath this is not true; he took my watch out of my pocket, and with the force broke the stone out of the seal; I am not at all surpriz'd at this, there was a chairman came and told my fellow servant, since he has been in confinement, that the prisoner said, I offer'd him 7s. or 7s. and 6d. I offer'd him no money, nor nothing like it.

Q. Is the chairman in court?

Smith. No.

Q. Where do you live?

Smith. I have liv'd with my Lord Falmouth 14 years.

Norwood Francis Ward. About half an hour after 11 that night I was walking up Bow street; just as I got on the top of Bow street I heard the cry watch; I look'd, and saw a scuffle, and some people going that way, and a foldier stopp'd the prisoner; I went up; the prosecutor said the prisoner had robb'd him; the prisoner seem'd to be running towards me before he was stopp'd; the watchman came, and they charg'd the watch with him. Mr. Smith said, the prisoner had stole his watch; the prisoner desired to be search'd; I still kept walking up Hart street; the people said, if he has it not, perhaps he has thrown it away; a gentlewoman, named Finney, took a candle, and look'd on the ground, and found the watch on the ground where the prisoner was taken.

Q. Did the prisoner charge the prosecutor with having done any thing?

Ward. No; he did not charge him with any thing; after the watch was found, the people ask'd him, whether he had any thing more to do with the prisoner; he said, no; as I have got my watch, let him go and be d——d. Then, by desire of some people present, the prisoner said, then I charge you for the scandal; and they both went away to the roundhouse together.

Q. What were the words the prisoner made use of when he charg'd him?

Ward. Somebody there said; now if I was in your place, I would charge the watch with him; said he, so I will.

Q. What for?

Ward. It appear'd to me, for the scandal for saying he had taken the watch.

Q. Did you go with them to the roundhouse?

Ward. I did.

Q. Did the prisoner charge the prosecutor there with any thing, with some attempt upon him?

Ward. No, not in the least.

Q. How long was you at the watchhouse?

Ward. I was there several hours.

Q. from prisoner. Whether I could not have made my escape from the prosecutor before the watchman came up.

Ward. I don't know that.

Q. from prisoner. Whether the prosecutor did not charge me with robbing him of half a guinea?

Ward. No.

Prosecutor. I never charg'd him with taking any thing but my watch; I believe the prisoner once did get out of my hands, but I had hold on the skirt of his coat, when the watchman came and took him in charge.

Mrs. Finney. I keep a public house in Hart street; on saturday the 24th of May, about half an hour after 11 o'clock at night, I heard watch call'd; I ran out, and saw a foldier had the prisoner by the collar; the watchman came and took hold of him; and the prosecutor charg'd the watch with him, saying, he had stole his watch. I said to the watchman let me have your lanthorn and look about; he gave the lanthorn to the prosecutor, and I went in and took a candle, and looking lower down, just where the prisoner was taken by the foldier, there I found the watch in the kennel. Mr. Smith, before I found it, said, it was a gold watch, with a shagreen case, and the glass was broke by striking him in the face (and it was such a watch) Mr. Smith had a cut in his face; the prisoner ask'd Mr. Smith, if he had any thing more to do with him; Mr. Smith made a little pause; and said, as I have my watch, go about your business and be d——d; there was some people standing by said young man, why don't you charge the watch with him; then he did.

Q. Did you hear the prisoner charge the prosecutor with any thing?

Mrs. Finney. No, I did not; he did not charge him with any thing; I was in new prison after that to see the prisoner; he there said he never saw Mr. Smith before, nor never mentioned Mr. Smith's doing any thing to him.

Edmund Nicholson. I am a watchman; I was calling the half hour in Hart street, I heard the cry watch, watch, stop, stop; I ran, and saw a foldier had the prisoner in custody; I ask'd what was the matter; the prosecutor said, I charge you with this man, he has pick'd my pocket of my gold watch; I took hold of him; I said to the gentleman, do you know where you lost your watch; he said, somewhere hereabouts; in 3 or 4 minutes the watch was found; then the prisoner wanted to go; and ask'd the gentleman if he had any farther charge against him; the gentleman would have forgiven him, when I let him go; then he said, I charge you with this gentleman, for a scandal in detaining of him; then I said, gentlemen, if you please to go to the roundhouse; so they went together.

Q. Did you hear the prisoner charge Mr. Smith with behaving indecently with him?

Nichols. No, I did not; his charge was for a scandal about detaining him for the watch.

Q. Was Mr. Smith in liquor;

Nichols. He was very sober, and behav'd very handsomely.

Q. Was the prisoner sober?

Nichols. He was.

Q. from prisoner. Did you not hear Mr. Smith say he had lost half a guinea.

Nichols. No, I did not.

Samuel Clark. I was constable of the night; I was in the watchhouse when the prosecutor and prisoner were brought in; they charg'd each other; the prosecutor charg'd the prisoner with stealing his watch, and the prisoner charg'd him with stopping of him, and charging him with stealing of it.

Q. How long was you at the watchhouse that night?

Clark. I was there till about 4 o'clock; they were brought in about 12.

Q. Did the prisoner in that time say any thing of the prosecutor having behav'd indecently to him?

Clark. No, not a word.

Q. Did you hear the prosecutor say he had lost half a guinea?

Clark. No. (*the watch produc'd, and depos'd to by prosecutor*)

Mrs. Finney. This is the watch which I pick'd up that night, near where the prisoner had stood.

Prisoner's Defence.

The prosecutor met me facing Henrietta street, at the lower end of Russel court, and look'd very hard at me; he stood up as I pass'd by, and touch'd my shoulder, he stood like if he was making water; I pass'd him, he followed me, and look'd very hard at me; he came and pull'd me by the sleeve, and said it was a fine night; yes, sir, said I, it is; he said, will you take a walk this way; I could not imagine what he meant; but willing to know what he wanted, I turn'd back, and went up into Hart street; he took hold of my arm, and carried me up to the 7 Dials, through several courts and passages; after which he took me up this court, in Hart street (it is not a thoroughfare) where he made an attempt to lay hold on my private parts, and was going to unbutton my breeches, in order to put his hand in; then I struck him; he begg'd I would not make a noise, nor use him ill, and he would make me a present of any thing he had

about him; I said I wanted nothing of him, but call'd him villain and scoundrel for using me so, as he had; I said, I would use him ill, and beat him; upon which he said, I'll down on my knees to you if you will not use me ill; you dog, I said, I'll have nothing of you; he put his watch into my hand, and said it was a gold one, and that he had no money; he would make me a present of that; I struck him with the watch immediately; upon which the watch fell; as soon as I struck him he call'd *watch, watch*, and a man came up who was a soldier, and laid hold of me; then the watchman, and several of the neighbours got round me; he said, he had lost his watch, the watch was found about 20 yards from where I was standing. I said, have you any thing more to say to me; he said, no; then I said, you scoundrel, I charge you for detaining me from my business; then we went to the watchhouse together.

Guilty.

241. (M.) Margaret, wife of — Smith, otherwise Margaret Smith, widow, was indicted for stealing 2 silver tea spoons, value 2s. and one pewter table spoon, value 1d. the property of William Gore, July 2. ||

Guilty.

242. (M.) Ann Edgely, otherwise Hambleton, spinster, was indicted for stealing one linnen shift, value 4s. the property of Elizabeth Virthey, spinster, 5 linnen caps, 2 linnen handkerchiefs, one linnen apron, the property of Sarah Read, spinster, and 20s. and 6d. the money of Sarah Austin, spinster, May 29. †

Clementia Turner. I am a laundress; the prisoner at the bar iron'd for me; I believe I lost every week, for about 6 months, some trifle or another of linnen. I wash'd for Elizabeth Virthey and Sarah Reed; on the 29th of May the prisoner came at 6 in the morning, and took an opportunity to go up stairs, in the room where Sarah Austin my maid lay, and took 11. 9s. 6d. her property. The prisoner endeavoured to drive it into all our heads (after the money was missing) that a young man that lodg'd in our house had taken it; he was taken up, and before justice Wright she insisted upon it he had it; but upon her being ask'd about it, she owned she had taken it herself out of the maid's drawer; she own'd to that, and to the taking 3 caps, before the justice. I found one handkerchief.

chief, one upon her neck in bridewell, and the other with 3 caps in her lodgings.

Sarah Austin. I am servant to Mrs. Turner; I lost 1 l. 9s. 6d. the prisoner at the bar, upon being charged with taking it, own'd she had taken it; I also heard her own to the taking 3 caps; I saw 3 caps and an apron found in her lodgings. My money was taken from out of the fore parlour where I lie.

William Barns. At whose house the prisoner lodg'd, depos'd to that of the prisoner's confession, and the finding the things mentioned in her lodging room.

The prisoner said nothing in her defence. Guilty. The trials being ended, the court proceeded to give judgment as follows:

Transportation for seven years 14.

Peirce Demplay, Ann Carrall, Mary Flanders,

Moses Birch, Ann Ward, John Wright, Margaret Smith, Sarah Whiteman, Patrick Donnelly, Catherine Lindsey, Ann Edgeley, otherwise Hambieton, Deborah Hughes, and William Davis.

Branded 9.

Thomas Perry, Susannah Cottell, Mary Hand, Joseph Alley, Margaret Maddox, Fra. Newcome, William Roberts, Elizabeth Mylford, and John Drake.

To be whipped 2.

Mary Prifwell, Mary Chesterfield.

The Right Honourable Sir THOMAS CHITTY, Knt. Lord-Mayor.

GOD save the KING.

The next sessions to begin at Guild-hall on Monday the 8th of September, and at the Old-Bailey on Wednesday the 10th of September.

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